

1943 and was still a member at the time he testified in this proceeding. He held minor official positions and was active in Respondent's trade-union work in Ohio. He and one Fred Haug, at a meeting of Communist labor members in 1950, were assigned the duty of getting new members for the Party. Also in 1950, at a meeting of a Communist Party group at the plant where Janowitz was employed, a state official of Respondent handed out copies of *New Times*, published by the newspaper *Trud* in Moscow, and of *For a Lasting Peace, for a People's Democracy*, official organ of the Cominform. The official told the labor members to read and study the documents and pass them on. These documents contain articles which strongly condemn the United States while praising the Soviet Union (Pet. Exs. 412 and 413). On the basis of his experience in the Party, Janowitz learned that the Communists are to take advantage of every opportunity that arises to lead the masses, whether it be through depression or strikes or anything else, and are to be the leaders in any movement that unites the masses for the purposes of "getting rid of the capitalist system in America," and substituting Communism.

Petitioner's witness Evans attended a regional convention of Respondent in 1951 where a talk was made concerning the policy of industrial concentration and Communist work in trade unions. The witness describes the talk as including reference to the necessity of infiltrating the different unions, especially the key unions. His best recollection is that the speaker actually used the word "infiltrating." Similar evidence is furnished by Petitioner's witness Cummings who was taught in Respondent's schools in 1945 that to infiltrate trade-union movements was one of the primary objectives of Respondent.

We have previously referred to the supervision of Respondent's activities by foreign representatives in the United States. In trade-union work, the record shows that Petitioner's witness Kornfeder, while an official of Respondent, disagreed with the change in trade-union policy in 1934 and was expelled for failure to heed Gerhardt Eisler, a foreign representative, who told him not to voice his disagreement. Witness Honig in the early 1930's was given instructions by a Communist International representative in the United States concerning his Party assignment as editor of a publication called *Labor Unity*.

Members of Respondent have in the past been sent to the Soviet Union where they received schooling and instructions regarding trade-union policies and activities. Four of the witnesses in this proceeding had this experience. Witness Nowell was taught trade-union and strike strategy at the Lenin School in Moscow in 1931. Witness Honig was sent by Respondent to Moscow in 1932 where he remained until 1935. While there, he studied the operations of the Soviet trade unions and helped the Communist International to formulate policies to be carried out by Respondent in the trade-union field. Honig sent back to Respondent reports on decisions made by the Communist International or its affiliated Red International of Labor Unions with headquarters in Moscow, on such things as where the Respondent was to step up its activities and try to produce strikes and try to capture control of unions. The Respondent reported back to Moscow commenting on the instructions it received to the effect that the Party had been attempting and believed it was succeeding in carrying out these directives.

The record shows that under Marxism-Leninism, as well as the Communist International and the Soviet Union, the incitement to strike is a tactic of labor union policy and activity. In the late 1920's, a special committee was created by Respondent in an attempt to gain control of the United Mine Workers by utilizing anthracite strikes to Respondent's advantage. In 1934, the Comintern and the Red International of Labor Unions at joint meetings in Moscow, instructed Respondent to press the current situation among the longshoremen and dockworkers in San Francisco to the point of a general strike. These instructions were communicated to Respondent by coded message and were carried out. Manuilsky, then secretary-general of the Communist International,⁴⁷ expressed himself as anxious to have the strike since a cardinal principle of Leninism was that a general strike is a rehearsal for revolution or for a seizure of power by the Communist Party.

A strike meeting was called at the Fisher Body Plant in Cleveland in the 1930's at the direction of the Communist International representative, Gerhardt Eisler. In 1940, Respondent instigated a strike at Allis-Chalmers in order to slow down the production of war materials for Great Britain, then at war with the Soviet Union's then ally, Germany. In 1941, Respondent instigated and led a strike conducted by the aircraft division of the United Auto Workers at the North American Aviation Co. in California.

(b) Youth Work

As in the case of Respondent's other policies, activities, and programs, we have taken into consideration in arriving at our determinations regarding Respondent's youth work, the fact that Respondent has republished in the United States and uses as textbooks and guides to action, many of the documents, publications, and writings of leading officials of the Soviet Union and organs under its control, such as the Communist International. We have also taken into consideration the fact that various members of Respondent have been trained in the Soviet Union and that some of its present top officials were intimately connected with the Communist International.

The evidence clearly preponderates to establish that while it was a part of the Communist International, Respondent's youth policies were formulated and carried out and its activities performed pursuant to directives of the Communist International. A decision of the Comintern in 1926, contained in the "Resolution on the American Question" and requiring greater attention to the building of a mass Young Communist League and pioneer movement was distributed by Respondent's general secretary to all District, City, Section Committees, and Language Bureaus of the Party.

A resolution of Respondent's Central Committee wholeheartedly approved the decisions of the Seventh World Congress of the Comintern in 1935 "to build the widest anti-fascist youth front through the world." The Central Committee in its resolution called upon the Party to do all in its power to help the Young Communist League accomplish a change in its character indicated by the Sixth World Congress of the Young Communist International and which had subsequently been approved by the Communist International.

⁴⁷ Manuilsky in 1945 was Soviet representative to the initial United Nations conference on international organization held in San Francisco.

The minutes of various top committees of Respondent for the period from October 1925 through November 1938 disclose guidance by Respondent of the Young Communist League in the United States on the basis of directives from the Communist International (examples are Pet. Exs. 58, 71, 72, 73).

Additional evidence as to foreign direction of Respondent's youth policies and activities is furnished by Alexander Bittelman's pamphlet issued in 1932 entitled, "*The Communist Party in Action*" (Pet. Ex. 144) and by Respondent's *Manual on Organization of the Communist Party* (Pet. Ex. 145). In the pamphlet entitled "*The Way Out*,"⁴⁸ issued by Respondent in 1934, the Young Communist League is defined as the mass political organization of young workers which leads them in the struggles for their demands and acts as a training school for Communism. It is organizationally independent of the Communist Party, but acknowledges its political leadership and is affiliated with the Young Communist International.

The record establishes that the Young Communist League in the United States was dissolved in 1943 (when the Communist International ceased to exist) and that in its place the American Youth for Democracy was formed as what is known by Communists as a coalition group, being composed of both members and nonmembers of the Communist Party. It was technically a non-Communist organization, formed as a win-the-war organization designed to recruit and influence as many young people as possible for the Respondent Party. Witness Philbrick, a member of Respondent, was State Treasurer of the American Youth for Democracy and one of its leaders. Witness Matusow joined the American Youth for Democracy in 1946 and through his associations therein became a member of Respondent in 1947. He continued to be active in Respondent's youth work and in 1949 assisted in the formation of a new Marxist-Leninist youth organization in the United States—the Labor Youth League. The plan of Respondent which was carried out was to disband all Communist youth clubs and to transfer their leadership to the Labor Youth League under Respondent's leadership. Among the books used by the educational committee of the Labor Youth League for training its members are: *Twilight of World Capitalism*, by William Z. Foster; *The Tasks of Youth*, by Stalin; and *The Young Generation*, by Lenin.

In view of the policy of the world Communist movement for the mass organization of youth organizationally independent of the Party, and in view of the various directives issued to Respondent, all as heretofore set forth, the following quotation from an article in *Political Affairs* for February 1951 (Pet. Ex. 376) is relevant to the issues herein:

This Convention [15th Natl. Convention, Dec. 1950] reflects real progress in our youth work and better understanding of our Party policy in this field.

* * * * *

The 1948 Convention of our Party gave important emphasis to the need of establishing a non-Party working-class youth organization dedicated to the training of the youth in the spirit of socialism.

* * * * *

The recent founding Convention of the Labor Youth League * * * has made a deep impression on our whole Party. In this short time the League has proven

⁴⁸ Manifesto and Principal Resolutions adopted by the Eighth Convention of the Communist Party of the USA, held in Cleveland, Ohio, April 2-8, 1934 (Pet. Ex. 136).

itself to be a worthy heir of all the best traditions of the Young Communist League, its 25-year record of struggle and its training of many of the outstanding leaders of our Party today * * * (p. 175).

* * * Experience has borne out fully the correctness of establishing L. Y. L. as an independent non-Party mass youth organization. The best answer to those comrades who two years ago thought Party youth clubs filled the need for youth work are the thousands of non-Party members of L. Y. L. who are today participating in its activities and learning in a Marxist spirit (p. 180).

Other contents of this article are pertinent for comparison with the principles of Stalin and of the Communist International, as previously herein set forth, that a matter of decisive importance in the proletariat's fight against imperialist wars is the work among the youth. This 1951 article says:

There can be no fully effective fight for peace without waging a struggle against the militarization of youth * * * (p. 176).

* * * It follows that these are some of the most immediate issues around which our Party must develop an energetic struggle.

1. No extension of the draft to 18-year olds, veterans and married men. No lengthening of the draft service term. No universal military service and training (p. 178).

Particularly significant for comparison with the foregoing evidence as to respondent's present policy concerning work among the youth as part of the fight against imperialism, is the resolution passed by the Communist International in 1928 entitled "The Struggle Against Imperialist War and the Tasks of the Communists" (Pet. Ex. 148), which says the greatest efforts must be exerted—not only by the youth organizations, but by all Communists—in combating bourgeois sport organizations, fascist organizations, military schools, etc., through which the bourgeoisie are training the youth for imperialist wars. Also, it is stated that bourgeois military training of the youth must be combated.

The obligation which the Sixth Congress of the Communist International (1928) placed upon all Communist Parties to assist in setting up Youth Leagues was approved by Respondent's publication as late as 1950, of an article in *Political Affairs*, entitled "A Generation of Soviet Youth," which refers to such obligation as still authoritative on Party members (Pet. Ex. 477, pp. 85-95). In this article, the author holds up Lenin and Stalin as models for youth and, after reviewing the role which youth played in bringing about the establishment and consolidation of the dictatorship of the proletariat in Russia, pictures the lot of the Soviet youth under such dictatorship as one of security, free from unemployment, and with the right to leisure, whereas in sharp contrast the American youth must face the constant fear of unemployment under the scourge of American capitalism. In conclusion, the author declares that solidarity with the Soviet Union and appreciation of its leading role in the struggle for peace, democracy, and socialism, become the touchstones of true internationalism among young people of all countries; and that it is particularly important in the United States—the center of world imperialism—to bring this wonderful understanding to the young people who are studying Marxism-Leninism and to the Party which helps to guide their youth.

The experiences and careers of various witnesses in this proceeding while engaged in youth work as members of Respondent furnish still

further relevant evidence. While in Moscow in 1927 and 1928, witness Crouch as a member of Respondent and a representative of the youth organization, was directed to form in the United States joint units of the Party and the Young Communist League to work together in the Navy yards. He followed this and other directives upon his return to the United States and upon reporting to William Z. Foster and the national officers of the Young Communist League. In 1929, Crouch was a member of the National Young Communist League Secretariat and National Educational Director of the Young Communist League but upon orders given to the National Convention of the Young Communist League in 1929 by a representative from Moscow, Crouch was not elected National Secretary because of his previous support of Lovestone in the factional dispute of the Party.

Witness Meyer before coming to the United States was a member of the Communist Party in Great Britain, where he was active in work for the Young Communist League and was associated with the secretariat of the Central Committee of the British Young Communist League. In 1934, he went to Paris, France, in connection with setting up a world student and youth congress with counterparts in America and Great Britain. This work, while Meyer was in Paris, was under the direction of Walter Ulbricht, who at the time Meyer testified herein was Vice Prime Minister of Eastern Germany. Upon arrival in the United States in 1934, Meyer was assigned by "Gil Green" to youth work in the United States and during the summer of 1934 attended the convention of the Young Communist League of Canada together with "Gil Green" and a Max Weiss from the Young Communist League of the United States.

Witness Philbrick was a member of the Young Communist League for a couple of years before joining Respondent in 1944, of which he remained a member until 1949, continuing his duties in the Young Communist League and later the American Youth for Democracy. The meetings of the American Youth for Democracy which he regularly attended were conducted along the same lines as those held by the Young Communist League, which included training in organization, discussion of current activities on the part of young Communists in the group, and educational sessions on Marxism-Leninism.

Respondent's witness Gates joined the Young Communist League in 1931 to attain what he thought to be the answer to the "personal tragedy" of the depression (Tr. 12595-12603). His activities in the Young Communist League led to his attaining a position of leadership in Respondent, which he joined in 1933. He participated in League agitation for the Unemployment Insurance Act and about the Scottsboro affair (Tr. 12609-10). He says his duties and activities as head of the League in New York State were almost identical with the general activities of Communists during the period—activities by the young people of New York State on behalf of the economic welfare, democratic rights and peace. Later herein we deal with the evidence as to the ideological aspects of Respondent's trade-union, youth, and minorities work.

(c) *National Liberation*

We have previously herein referred to the fact that Marxism-Leninism, the Communist International, the Soviet Union, and the Communist Information Bureau give importance to what they call

the national problem—the “world problem of emancipating the oppressed peoples in the dependent countries and colonies from the yoke of imperialism” (*Foundations of Leninism*, Pet. Ex. 121, p. 77). We have also noted that under Marxism-Leninism, the Comintern, the Soviet Union, and the Cominform, the “national problem” is applied to the Negroes in the United States on the theory that the Negro people in the Black Belt of the South constitute an oppressed nation within the territorial borders of the United States.

The record clearly establishes that a main “line” of Respondent is and has been what it calls the struggle for national liberation of the Negro people. This proceeding is concerned with whether or not the concept and application by Respondent of the theory as to the right of the Negro people in the Black Belt to self-determination is a program which Respondent arrived at independently.

Respondent's position in this respect is summed up by its witness, Dr. Aptheker, as follows:

* * * I would stick to my answer that the Negro question is a national question, it is certainly not something dictated from abroad or by the Communist International. The Negro question is a national question, is a reflection of objective reality. If it is dictated, it is dictated by life (Tr. 14149).

Dr. Aptheker concedes that, although certain Negro leaders after the Civil War thought in terms of the concept of Negro nationalism, that was not known to the leaders of Respondent and was not used by Respondent in evolving its position on the Negro question. Also, that at the time the policy of self-determination of the Negro people and the Black Belt was enunciated by the Party, it was not the policy advocated, in the developed sense at least, by the majority of the Negro people or a majority of their leaders.

In the early 1930's, the Executive Committee of the Communist International drew up and passed certain resolutions concerning the Negro question in the United States which were sent to Respondent to be carried out. These resolutions established the line of the Communist International to be a demand for self-determination of the Negroes in the United States in the form of unconditional autonomy-separation, or secession from the United States and the establishment of a separate Negro government in the Black Belt of the South. As explained by witness Nowell and corroborated by the copy of the resolution in evidence, if no proletarian revolution has occurred, Respondent is to support the rebellious government of the Negro republic in its opposition to the Government of the United States, in order to weaken the Government of the United States and aid Respondent in precipitating and executing the proletarian revolution. During Nowell's membership in the Party, definite steps were taken to execute this program.

As a member of Respondent, witness Nowell attended the Lenin School in Moscow in 1931, where he was taught that the Negro question in the United States was a part of the colonial question; that the foundation of the colonial problem was imperialist exploitation by the mother countries; that the Communists were to help colonial countries break themselves away from their mother countries, thereby weakening the mother countries and thus aiding the proletariat and the Communist Parties in those countries to precipitate and carry through a proletarian revolution and the establishment of a communist dictatorship. Witness Nowell was disciplined while in the Soviet

Union for voicing disagreement with the theory and demand for separation and secession by the Negroes from the government of the United States and the establishment of a separate government.

Witness Johnson was active in Respondent's Negro work during his membership from 1930 to 1940. In 1932, he attended Respondent's National Training School in New York City, where his instructors included William Z. Foster, Gilbert Green, Jack Stachel, Max Bedacht, and others who are presently leaders of the CPUSA. At the school he was taught by a member of Respondent's Central Committee that members of the Party were to work for equal rights for Negroes, which included specifically the right in the Black Belt to rebel and wage civil war to form an independent autonomous Soviet Republic; that the movement toward the establishment of this autonomous Negro Republic should be guided and steered in such a way by the Negro Communists that it would take place simultaneously with the general proletarian or Communist revolution in America. Johnson, who became a Negro member of Respondent's Central Committee, subsequently lectured in the school and before Party meetings and study groups on this program.

In its "*Manual On Organization*," first issued in the 1930's, Respondent said the Negro people are "the other important ally" in speaking of those that the proletariat must win to its cause, and "without whom there cannot be a successful revolution." (Pet. Ex. 145, pp. 14 and 15). The *Manual* quotes the following from an "Open Letter" adopted by Respondent's Central Committee in 1933:

The Party must mobilize the masses for the struggle for equal rights of the Negroes and for the right of self-determination for the Negroes in the Black Belt. It must ruthlessly combat any form of white chauvinism and Jim-Crow practices. It must not only in words, but in deeds overcome all obstacles to the drawing in of the best elements of the Negro proletariat, who in the recent years have shown themselves to be self-sacrificing fighters in the struggle against capital * * * (*ibid.* pp. 15 and 16).

Witness Cummings was a member of Respondent from 1942 to 1949. He attended one of Respondent's training schools and many of Respondent's meetings. He also read Party literature. He was taught that the primary objective of Respondent was "to infiltrate trade-union movements, Negro organizations, and any organizations that we were able to get into and take control of, to eventually change the system of American Government."

Benjamin Davis, National Committee member, in his report to Respondent's 15th Convention, held on December 28-31, 1950, in New York City, said an important feature of the Negro liberation movement is "the international significance of this question" (Pet. Ex. 379, p. 12); that the "Party's line on the Negro question is a Leninist-Stalinist principle and method of work" (*ibid.*, p. 19); and that—

Tendencies to treat the Negro people as mere victims of oppression, without seeing their unique positive and revolutionary role in the struggle against capitalist reaction, are a patronizing form of white chauvinism (*ibid.*, p. 19).

John Williamson, in a report to the 15th National Convention of Respondent in December 1950, pointed out that "the cause of the working class as a whole cannot advance unless a firm alliance is established with the Negro people and unless the working class assumes its full responsibility in support of the struggle of the oppressed Negro

nation for freedom" (Pet. Ex. 376, p. 69). Jim Jackson, another of Respondent's leaders, puts it as follows:

The development of higher levels of the Negro national revolutionary struggle in the Black Belt, and the broad mass movement for democratic rights in the South as a whole, is an indispensable prerequisite for insuring the victory of the working class and the American people over the menacing challenge of the ruling-class forces of fascism and war *presently*; and for working-class victory over capitalism *ultimately*. This is a basic fundamental in the strategy for working-class victory, and a special feature of the path to the triumph of Socialism in our country (Pet. Ex. 376, p. 119).

An article in *Political Affairs* for January 1951, entitled "Working Class and People's Unity for Peace! (Main Resolution of the 15th National Convention, CPUSA)," characterizes the Negro people as a "tremendous reservoir of strength for the whole democratic movement" (Pet. Ex. 378, p. 11) and states:

Because U. S. imperialism is compelled to cloak with demagogic phrases about democracy and equality its drive for world conquest, particularly its military assault against the colonial liberation movement in Asia, the Negro question tears the mask off Wall Street's real face and assumes the greatest international significance (*ibid*, p. 17).

(d) Ideological Versus Political Aims

The foreign-evolved policies, activities, and programs for the carrying out of the world Communist movement, as set forth by the Soviet Union through Marxism-Leninism, the Communist International and otherwise, teach and sanction activities calculated to achieve reforms. The record shows that Respondent has campaigned for and championed reforms such as shorter working hours, nonmilitarization of youth and Negro rights. However, the record shows that such activities are political and only incidentally ideological; that the campaigns are primarily carried out not for the ostensible objective of the campaigns but to aid in the accomplishment of the objectives of the world Communist movement.

In addition to the evidence hereinbefore set forth concerning the true purposes of Respondent's trade union work, youth work, and national liberation activities, the following is pertinent.

Petitioner's witness Evans, chairman of a Party club, delegate to a Party regional convention in 1951, and section educational director in 1951, states, on cross-examination as to recent Negro rights activities of his Party club, that a study of Communist tactics and of Communist strategy will refute the declaration that the interest of the Party in the fight for Negroes is focused upon the individual; he shows that, in effect, the fight for Negro rights is an effort by the Party to make the Negro a useful means of helping the Party obtain the victory of socialism.

Foundations of Leninism points out that the necessity for the proletariat to support the national liberation movement of the oppressed and dependent countries does not mean everywhere and always, in every single concrete case, but only where the national movement tends to weaken, to overthrow imperialism, and not to strengthen and preserve it (Pet. Ex. 121, p. 79).

Respondent's publication *The Communist Party In Action*, written by one of Respondent's present leaders, Bittelman, in 1934, says the importance of the daily struggles concerning "small" grievances must

not be underestimated, and quotes the Communist International as stating in effect that only by conducting everyday struggles can the Party achieve a united front and lead the working class to a victorious dictatorship of the proletariat (Pet. Ex. 144, pp. 43-44).

In 1924, Stalin wrote in *Foundations of Leninism*:

Some think that Leninism is opposed to reforms, opposed to compromise and to agreements in general. This is absolutely wrong. Bolsheviks know as well as anybody else that in a certain sense "every little bit helps," that under certain conditions reforms in general, and compromises and agreements in particular are useful * * *

Obviously, therefore, it is not a matter of reforms or of compromises and agreements, but of the use people make of reforms and compromises * * *

To a revolutionary, * * * the main thing is revolutionary work and not reforms: to him reforms are byproducts of the revolution * * *

The revolutionary will accept a reform in order to use it as an aid in combining legal work with illegal work, to intensify, under its cover, the illegal work for the revolutionary preparation of the masses for the overthrow of the bourgeoisie (Pet. Ex. 121, pp. 103-4).

(e) Conclusion As To Major Programs

Our summary of the evidence concerning trade-union work, youth work, and work among the Negroes, does not include all of the evidence relevant to these subjects. On the basis of the foregoing and upon the entire record, we find and conclude that early in its existence Respondent accepted these policies and programs and has continued to follow them and has not repudiated them; that Respondent's trade-union work, youth work, and national minorities work could only have as their aim the effectuation of the policies of the Soviet Union with respect to the world Communist movement; and that Respondent's policies and activities in these fields are substantially formulated, carried out, and performed, pursuant to directives of the Soviet Union.

8. Conclusions as to Foreign Policies and Directives

In view of the findings and conclusions hereinbefore set forth in this section of our report, we find and conclude that:

1. Respondent's organizational form is based upon instructions and directives issued by the Soviet Union;

2. Respondent's organizational policies are formulated and carried out to effectuate the policies of the Soviet Union and the world Communist movement;

3. A substantial number of Respondent's leaders have accepted the views and policies of the Soviet Union concerning the advancement of the objectives of the world Communist movement, and have made such views and policies the views and policies of Respondent;

4. Marxism-Leninism, as understood, used, and followed by Respondent, consists of a body of doctrine, policies, strategies, and tactics intended to bring about the end of capitalism and to substitute for it a dictatorship of the proletariat; it has been promulgated and issued by the Soviet Union as the overall philosophy, authoritative rules, directives, and instructions governing the world Communist movement;

5. Among other things, by the acceptance and following of the organizational devices of democratic-centralism and self-criticism,

as these devices are defined and explained by the Soviet Union, and by the acceptance of and adherence to Marxism-Leninism, Respondent subjects itself to the authority of the Soviet Union;

6. Respondent throughout its existence has and does at the present time teach, advocate, and carry out activities having for their objective the overthrow of the United States Government and other governments which are designated as "imperialist" by the Soviet Union; pursuant to directives of the Soviet Union and to effectuate the policies of the Soviet Union, all for the purposes of defending and protecting the Soviet Union and of establishing in the United States (and other countries) a dictatorship of the proletariat patterned after that in the Soviet Union;

7. Respondent has established a press in the United States patterned after that in the Soviet Union which operates as a means of setting forth for Respondent's members the correct line as laid down by the Soviet Union;

8. The press in the Soviet Union and the journal of the Communist Information Bureau are major communication means whereby directives and instructions of the Soviet Union are issued to Respondent;

9. Representatives of the Soviet Union who were sent by it to the United States have been instrumental in putting or keeping in power leaders of Respondent, devotedly loyal and subservient to the Soviet Union, who have continued to be and still are Respondent's leaders; that such representatives have on behalf of the Soviet Union directed the adoption and use of a number of the Respondent's present policies and activities;

10. Among the major programs set forth by the Soviet Union for the accomplishment of the objectives of the world Communist movement are trade union work, youth work, and work with national minorities; and, pursuant to requirements of the Soviet Union, Respondent has made these its major programs in the United States and carries out such programs pursuant to directives issued by the Soviet Union, for the purposes of effectuating the policies of the Soviet Union and advancing the objectives of the world Communist movement;

11. Respondent's policies are formulated and carried out and its activities are performed pursuant to directives of, and to effectuate the policies of, the Soviet Union, which directs and controls the world Communist movement.

C. NONDEVIATION

Section 13 (e) (2) of the Act provides that the Board shall take into consideration "the extent to which its [Respondent's] views and policies do not deviate from those of such foreign government or foreign organization."

The petition alleges, in part, on this subject:

Throughout its existence the Communist Party never knowingly has deviated from the views and policies of the government and Communist Party of the Soviet Union, the Communist International, the Communist Information Bureau and other leaders of the world Communist movement. Whenever such views and policies have conflicted with the position taken by the Government of the United States, the Communist Party has opposed the position of the United States.

Dr. Philip E. Mosely, Professor of International Relations at Columbia University and Director of the University's Russian Institute, was Petitioner's principal witness for the purpose of establishing that Respondent's views and policies do not deviate from those of the Soviet Union. Dr. Mosely has had a distinguished and active career in the field of international relations and for more than 20 years has devoted his research primarily to Russian political and diplomatic history. While so doing, he has had occasion to analyze carefully the publications and other documents issued by Respondent and the Soviet Union. He is eminently qualified to testify as an expert on evidence relative to the "nondeviation" criterion of the Act.

Dr. Mosely's testimony traced the continuing stream of international questions, upon which both the Soviet Union and the CPUSA have announced a position. He enumerated some 45 international questions of major import,⁴⁹ extending over the past 30 years, with respect to which there was, as revealed by his testimony, no substantial difference between the position announced on each by the Soviet Union or its official and controlled organs and that announced by the CPUSA or its official and controlled organs.

On each specific topic, several exhibits illustrating the views or policies of the Soviet Union and the CPUSA, respectively, were introduced contemporaneously with Dr. Mosely's oral testimony.

At the hearing, Respondent moved to strike Dr. Mosely's testimony and objected to the admission into evidence of the exhibits offered through this witness on the grounds that: (1) basing a registration order thereon would violate the First Amendment; (2) to base a finding of domination and control thereon would violate the Fifth Amendment; (3) it was not proved that the Soviet Union adopted its views first; (4) Respondent was not allowed proper cross-examination; (5) Dr. Mosely was disqualified as an expert; and (6) exhibits purporting to be translations from the Russian language were not properly authenticated.

Additional objections also raised at the hearing were that specific documents (a) predated the Act;⁵⁰ (b) pertained to subjects not covered in the petition; (c) were not shown to express authoritative views; (d) did not establish a parallel view; (e) did not support allegations of the petition; and (f) did not support Dr. Mosely's testimony.

We have reviewed the entire record relative to all of the aforementioned contentions of Respondent. Those pertaining expressly to Constitutional issues will be treated later in this Report under "Legal Discussion."⁵¹ Viewing the record in a light most favorable to Respondent, we find no error in the Panel's acceptance of this particular evidence or in its rulings with respect thereto.

Passing to its exceptions, Respondent took issue in the manner described heretofore (pp. 2-3, *supra*) with every statement in the Panel's decision concerning nondeviation. These exceptions are gen-

⁴⁹ Among these are the following: the League of Nations; Soviet Union purge trials, 1937; Russo-Finnish War, 1939; Russian invasion of Poland, 1939; Hitler-Stalin nonaggression pact, 1939; attitude toward World War II before and after German attack on Soviet Union; incorporation of Latvia, Estonia, and Lithuania into the Soviet Union, 1940; second front in Europe; dissolution of Communist International, 1943; revision of Montreux Convention, 1946; Communist movements in Bulgaria, Roumania, Hungary, Albania, China, Czechoslovakia and Yugoslavia; Berlin Blockade, 1948; West Germany; Italian election, 1948; North Atlantic Pact; control of atomic energy; election of Yugoslavia to United Nations Security Council, 1949; Cardinal Mindszenty case, 1949; United Nations police action in Korea; Communist China's intervention in Korea, 1950; seating Communist China in United Nations; Peace Treaty with Japan, 1951; and peace in Korea.

⁵⁰ We discuss the question of pre-Act evidence later in this Report under the caption "Legal Discussion," pp. 128 to 132, *infra*.

⁵¹ See pp. 131 and 132, *infra*.

erally, contentious, lacking in specificity and without merit; and, except to the extent that they pertain to matters discussed below or are incorporated in our findings, they do not warrant further comment.

In its brief accompanying its exceptions, Respondent contends that the Panel's concept of the nondeviation criterion is (a) irrational, erroneous, and based on incompetent evidence, and (b) involves conclusions which Dr. Mosely admitted he could not draw. Respondent further asserts that the Panel's misconception in this regard is reflected by rulings which prevented it from showing on cross-examination of Dr. Mosely and in its affirmative case that its views preceded those of the Soviet Union, were correct and reasonable, were arrived at independently by Respondent, and coincided with universal opinion and the best interests of the American people.

With regard to these contentions, we find no material error or irrationality in the Panel's conception of this criterion. We likewise find no merit to the contention that the Panel reached a conclusion which the witness Dr. Mosely admitted he could not make. Dr. Mosely stated in effect that his expert testimony was directed toward analyzing the basic line of thinking, analysis and advocacy of views and policies of the Soviet Union and Respondent and not at the process by which Respondent arrived at a given position on an international question, i. e., whether independently of the Soviet view or as a result of Soviet domination and control of Respondent. We do not understand this to conflict with, or detract from, the purport of his testimony. Whether the oral and documentary evidence adduced through Dr. Mosely tends to establish domination and control of Respondent when viewed with the evidence of record in the light of the other criteria of Section 13 (e) of the Act is for the Board's determination.

With respect to the remaining contentions related above, we conclude that Respondent was permitted reasonable opportunity to cross-examine Dr. Mosely and to establish its affirmative case. It is noted in passing that Dr. Mosely was cross-examined for 15 days. Respondent was not permitted, and rightly so, to put in issue the merits of the views or policies of Respondent, which views and policies were placed in evidence by Petitioner to establish "nondeviation." For in applying the "nondeviation" criterion, the Board is required to view cumulatively the spread of the evidence relating to the nondeviation of views and policies without deciding the merits of any views or policies of Respondent.

Respondent has contended throughout that the term "nondeviation" as used in the Act should be interpreted to mean "following a course already established" and that since a substantial number of Petitioner's exhibits illustrating the view or policy of Respondent predated the exhibits expressing the Soviet view or policy, these exhibits did not show that Respondent adopted a previously established view of the Soviet Union but the contrary. Assertedly, this consideration was reinforced by the absence of proof by Dr. Mosely to establish that the announcement of the Soviet view had preceded the Respondent's expression on the same topic.

Petitioner, on the other hand, took the position at the outset of Dr. Mosely's testimony, and in advance of the raising of this objection by Respondent, that the exhibits under discussion were offered in evidence merely to illustrate the oral testimony of Dr. Mosely on the respective

international questions, in order to show a documentary basis for his testimony; and that the documentary evidence was not intended to establish the date of the first announcement thereon by either the Soviet Union or the CPUSA. Petitioner further argued that in many instances the Soviet view or policy must necessarily have come first, particularly since the first announcement of the Soviet Union's position may have taken the form of a fait accompli, as for example, its unexpected signing of the Hitler-Stalin nonaggression pact.

As stated by Petitioner, these exhibits were placed in evidence to afford a documentary basis for the testimony of Dr. Mosely and not to establish the first announcements of views and policies. Moreover, we have considered Dr. Mosely's testimony with other evidence of record,⁵² all of which establishes that Respondent invariably follows the views and policies of the Soviet Union. We do not believe, therefore, that the date sequence of the exhibits placed in evidence through Dr. Mosely is dispositive of whether Respondent's views and policies have deviated from those of the Soviet Union.

We now proceed to set forth our findings on the evidence established by Dr. Mosely and other witnesses relative to this criterion.

The nature of the evidence adduced through Dr. Mosely is illustrated by his testimony, and documents submitted through him, concerning the nonaggression Pact entered into by Hitler and Stalin, known as the Hitler-Stalin Pact of August 23, 1939. He established the identity of views between the CPUSA and the Soviet Union prior to the making of this Pact; the parallel attitude of the Soviet Union and the CPUSA toward World War II while this Pact was in effect; and the simultaneous change of policy on the part of the Soviet Union and the CPUSA after June 22, 1941, the date on which the Pact was abrogated by the German attack on the Soviet Union.

To further illustrate the evidence, it is established that prior to the making of the Hitler-Stalin Pact, Respondent, conforming to the position taken by the Soviet Union, had denounced Fascism in Nazi Germany as the main threat of aggression in the world and as the foremost danger to peace and democracy notwithstanding that the signing of the Pact by the Soviet Union on August 23, 1939, constituted a reversal of the anti-Fascist line and caused considerable consternation and defection among Respondent's leaders and members, Respondent immediately switched to the Soviet Union's position and hailed the nonaggression agreement as an important contribution to peace; when Germany invaded Poland, Respondent echoed the Soviet assertion that the Pact continued to be an important contribution to peace as it would limit the spread of war; and, further, that opposition to this territorial expansion was the work of warmongers; after the defeat of Poland, the Soviet Union and Respondent both took the position that England and France were guilty of prolonging the war; that the war was an "unjust"⁵³ and imperialistic war and that no country which hoped for peace should assist England and France. Respondent, like the Soviet Union, strongly opposed lend-lease aid by the United States to Great Britain. Immediately after the German attack on the Soviet Union on June 22, 1941, the latter reversed its position, and, almost simultaneously, Respondent did the same; both suddenly concluded that the character of the war had changed; World War II

⁵² This consists of documentary evidence, and oral testimony of witnesses Gitlow, Kornfeder, Markward, Matusow, Budenz and others, as illustrated later in this finding.

⁵³ See discussion of "just" and "unjust" wars, pp. 126 to 127, *infra*.

became in the eyes of both a "just" war; they urged that the "Allies" should have the support of the United States and of all freedom-loving people; they advocated aid by the United States to Great Britain and to the Soviet Union, and Respondent branded those in the United States who opposed such aid as agents of Hitler. Soon after the German attack on the Soviet Union, Respondent joined with the Soviet Union in demanding the opening of a second front "now," with the United States participating therein.

The views of the Soviet Union and Respondent likewise coincided on the trials and executions in the Soviet Union in 1937; Respondent echoed the statements of the Soviet Union concerning the Russo-Finnish War; the same situation prevailed in regard to the absorption of Latvia, Estonia, and Lithuania by the Soviet Union. The Soviet Union and Respondent assumed the same position in 1947-1949 with regard to the internal crisis in Greece in that they both favored the actions of the Greek guerrillas; and they coincided in their views on the change in the Czech government in February 1948.

The evidence relative to this criterion further established that, prior to the Cominform resolution which attacked the Tito government, Respondent paralleled the Soviet Union in giving approval of the course of post-World War II developments in Yugoslavia and of the Tito government. On June 28, 1948, however, the Cominform issued a resolution, initiated assertedly through an exposure by the Soviet Union, which attacked Tito and his regime in bitter terms; among other charges, Tito and his leaders were derided for having entertained the hope that Yugoslavia could build "socialism" without "the support of the Soviet Union." One day later, on June 29, 1948, Respondent also reversed its position on the Tito government and issued a statement lauding this Cominform resolution and criticizing the Tito regime for showing hostility to the Soviet Union and for attempting to "curry favor with Anglo-American imperialism."

The views and policies of the Soviet Union and the CPUSA were identical on the question of the Berlin Blockade in 1948; they have likewise coincided on the course of events in post-World War II Germany.

The views and policies of the Soviet Union and the CPUSA have been substantially the same with regard to the Truman Doctrine, the Marshall Plan, ECA, and the North Atlantic Pact, namely, that the United States participation and leadership in these measures are for the aggressive purpose of domination of the world; whereas, the views and policies of the Soviet Union and Respondent, on the other hand, allegedly support peace and democracy.

The Soviet Union and Respondent took the same position in regard to the Stockholm Peace Petition in 1950⁵⁴ in asserting that all true proponents of peace should support the petition, which was issued by a committee of the World Peace Congress. Respondent supports the Soviet Union's position, as opposed to that of the United States, concerning control and inspection of atomic energy. The same situation prevails regarding the seating of Yugoslavia in the United Nations Security Council, with Respondent supporting the Soviet Union's opposition to the United States on this question. The Soviet Union and the United States Government have taken opposite positions with

⁵⁴ Respondent again expressed this view regarding the Stockholm Peace Petition in December, 1951 (Pet. Ex. 488, p. 28).

respect to the representation of China in the United Nations; Respondent maintains the Soviet position which favors the seating of the representatives of the Chinese Democratic Peoples Republic and the exclusion of representatives of the Chinese Nationalist Government. Respondent concurred with the views of the Soviet Union in opposition to the United States peace treaty with Japan.

The CPUSA's position in support of the conduct of the Czechoslovakian government in the William Oatis case (American correspondent) coincides with the Soviet Union's position thereon.

The testimony and documentary evidence also established that the CPUSA and the Soviet Union express the same views regarding Korea; both maintain that the Syngman Rhee government is a reactionary "puppet regime"; both vigorously condemn the hostilities in Korea as the direct result of American imperialism and aggression; both insist the United Nations police action is illegal and aggressive toward North Korea; both maintain that this war constitutes a threat to the Chinese Peoples Republic which justifies the Chinese Communist intervention in the conflict; both assert that the Chinese intervention in support of North Korea aids the struggle of "peace-loving" peoples of the world, which are led by the Soviet Union, against the program of the American imperialist aggressors; both charge that the United States desires continuation and expansion of the Korean War; both insist that the United States has disrupted and delayed cease-fire negotiations and blocked peace in Korea; and both demand acceptance of the proposals for cease-fire and "peace" made on behalf of the North Korea Peoples Republic. In short, Respondent and the Soviet Union, regarding Korea and the Korean conflict, coincide completely in their condemnation of the policies of the United States Government in its support of the United Nations in Korea.

In addition, other witnesses established that, during the existence of the Communist International, Respondent did not deviate from Comintern instructions in a single instance; further, that a CPUSA member could not disagree with a position taken by the Cominform and continue to remain a Party member;⁵⁵ that in those instances in which the policies of the United States and the Soviet Union appeared to be in conflict, Respondent at no time expressed sympathy with the policy of the United States Government; that the Soviet Union was never criticized in Party circles, but, on the contrary, it was a cardinal rule to praise the Soviet Union at all times; that in 1941 and prior thereto, a Moscow news agency supplied Respondent with political and other news dispatches which were distributed to Respondent's leaders so that they could keep informed of the "party line" and its interpretations; and that the aforementioned dispatches were regarded by Respondent as being directives from the Soviet Union on positions to be taken, and were implemented accordingly. It was stated in Respondent's 1942 Constitution (Pet. Ex. 328, Art. VI, Sec. 15) that no CPUSA member was permitted to have a personal or a political relationship with "Trotskyites," a term used in CPUSA and Soviet Union circles in an odious sense to signify persons sympathetic to a system of deviation from the official "line" of the Soviet Union.

⁵⁵ There have been instances of internal deviation within the CPUSA. Such instances usually resulted in dismissal from the Party, as in the cases of Gitlow and Browder. This, of course, in no wise detracts from these findings. In fact, these instances lend even greater weight to the findings, in that they highlight the intolerability with which any deviation is regarded by both Respondent and the Soviet Union.

It is also shown by evidence, in addition to that adduced through Dr. Mosely, that throughout the entire existence of Respondent; including the present, it has agreed with the view of the Soviet Union to the effect that the United States is an imperialistic nation which seeks world domination and whose government should be overthrown, whereas the Soviet Union is a true democracy in search of peace and its aims should be fostered.⁵⁶ When the United States was a potential or actual ally of the Soviet Union this chant was not sung by either the Soviet Union or the CPUSA.

Respondent made no effort to rebut the condition clearly shown to exist by Petitioner's evidence. It offered no evidence to establish a conflict between the policies of the Soviet Union and the CPUSA at any time or on any occasion. Nor is there any evidence to show that, where the views or policies of the United States as officially announced conflicted with the views of the Soviet Union, the CPUSA in any instance took a position thereon in harmony with the views of the United States; though its witnesses were repeatedly invited on cross-examination to show such an occasion. Each of Respondent's witnesses evaded a direct answer to the question and, curiously enough, each gave a similar circuitous and equivocal answer stating that Respondent's policies reflect what it conceives to be the true national interest of the American people; that if the views or policies of Respondent and the Soviet Union are similar or identical, this proves only that the national interests of the people of the two nations are the same; that Respondent takes the view that the true national interests of all people are identical; and that Respondent arrives at its views independently.

These platitudes do not negate Petitioner's evidence. Respondent's witnesses were unable to cite a single instance throughout its history where, in taking a position on a question which found the views or policies of the Soviet Union and the United States Government in conflict, the CPUSA had agreed with the announced position of the United States; nor could they show a single instance when the CPUSA had disagreed with the Soviet Union on any policy question where both Respondent and the Soviet Union have announced a position.

The testimony of Dr. Mosely and documents submitted through him embraced a tremendous area of international problems on which the positions of Respondent and the Soviet Union coincide. We have pointed out a representative portion of them. The uniformity is constant and on a wide variety of questions, and is corroborated by other evidence of record.

In evaluating the foregoing evidence we have taken into consideration that during the early history of Respondent, when it was openly a member of the Communist International and less secretive about its objectives, it accepted and effectuated the principles and tactics of the Comintern pursuant to an express condition of membership in the Communist International which required Respondent so to do (Pet. Exs. 8, 6 (c)). Moreover, in weighing the evidence set forth herein we have considered Respondent's adherence to Marxism-Leninism,⁵⁷ which in its essence requires acceptance by it of any position that the Soviet Union determines will advance the world Communist movement.

⁵⁶ See "Imperialism," pp. 44 to 54, *supra*; and "Allegiance," pp. 118 to 128, *infra*.

⁵⁷ See "Marxism-Leninism," pp. 21-44, *supra*.

The record precludes the conclusion which Respondent would have us draw, i. e., that the uniformity of views results from "sharing a common scientific outlook" and independent application of principles by it and the Soviet Union. The great weight of the evidence is to the contrary.

We find on the entire record that the views and policies of Respondent throughout its history invariably coincide with the views and policies of the Soviet Union. Moreover, Respondent conforms immediately to each reversal in the Soviet Union's views and policies.

We conclude and find that Respondent's views and policies do not deviate from those of the Soviet Union.

D. FINANCIAL AID

We are directed by the Act to consider "the extent to which it [Respondent] receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization" (Section 13 (e) (3)).

The petition alleges:

The Communist Party now receives and from time to time in the past has received financial aid, from or at the direction of the government and Communist Party of the Soviet Union, the Communist International and the Communist Information Bureau * * *.

The CPUSA sent members to the Soviet Union to attend schools located there, notably the Lenin Institute in Moscow. The expense for their travel and subsistence was borne by the Communist International.

In the 1920's and 1930's the Communist International financed the travel of CPUSA officials and members to and from the Soviet Union and on missions to other countries for the purpose of orientation and the conduct of official business on behalf of international Communism, such as fulfilling representative functions in the Communist International; in addition to their subsistence, salaries were paid them in some instances by the Communist International for the duration of their stay in the Soviet Union.

During the period from 1920 to 1934, the CPUSA received financial assistance from the Soviet Union, often in the form of subsidies, which are described more fully in subsequent findings under this heading.

The Communist International contributed the sum of \$50,000 to Respondent for the purpose of financing the 1924 campaigns of William Z. Foster and Benjamin Gitlow, the Communist Party candidates for President and Vice President of the United States, respectively; and the Communist International likewise contributed a substantial sum to Respondent to finance the campaigns of these candidates on the same ticket in 1928.

The Communist International directed the establishment of the *Daily Worker* and contributed the sum of \$35,000 to Respondent in 1924 for this purpose. During the period of 1936 to 1938 the expenses of the *Daily Worker* were reduced because international news was received from the International Press Correspondence, an organ of the Communist International.

In 1929, a delegation of ten CPUSA officials went to Moscow to appeal a decision of Stalin on a factional dispute within the Respond-

ent organization. The Communist International paid the travel expenses of the members of this delegation.

The Communist International in Moscow announced the decision on the 1929 factional dispute within the CPUSA. Thereupon, the Communist International gave a substantial sum of money to the Chairman of the new Secretariat of the CPUSA, which had been formed by the Communist International. These funds were to be used to establish a new newspaper, loyal to the Communist International, in the event that the CPUSA lost control of the *Daily Worker* because of the factional dispute; further, the Chairman of the newly formed Secretariat was given a substantial additional sum to finance enforcement among the members of the CPUSA of the decision reached in the Soviet Union regarding the leadership of the CPUSA.

The Trade Union Educational League (TUEL) was formed in the early 1920's pursuant to instructions from the Communist International; the latter also furnished a subsidy for the initial financing of this newly formed organization.

In 1928, a Trade Union Delegation was organized in this country by the CPUSA at the direction of the Communist International, to visit the Soviet Union. A member of this delegation's technical staff, who was a secret member of Respondent, eventually wrote the delegation report. The Communist International partially financed the organization and expenses of the delegation's visit to the Soviet Union.

About 1928, the Communist International subsidized, by grants of substantial sums of money, a campaign by the CPUSA among the members of the United Mine Workers to defeat John L. Lewis for the union presidency.

During the early period of Respondent's existence in the United States, paid functionaries of the CPUSA were permitted to purchase books at $\frac{1}{4}$ discount from the International Publishers, the latter being a Soviet Union publishing organization in the United States.

In 1929, or shortly thereafter, the Communist International directed that Respondent form Port Bureaus at leading ports in this country. The purpose was to facilitate recruiting and organizational work on the waterfront on behalf of the CPUSA. The establishment of these bureaus was facilitated by funds furnished by the Communist International.

In 1927, a representative of the Communist International requested that the CPUSA send a delegate to the International Miners Conference at Moscow. Respondent's Political Committee voted unanimously to reply that it would send a delegate but that funds for the delegate's fare should be cabled to the Respondent organization.

Amtorg is a trading corporation of the Soviet Union which was organized in the United States in 1924. From its inception until 1929, Amtorg rendered financial assistance to Respondent by: (a) paying excessive rates to Respondent publications for placing advertisements therein, and (b) making it possible for the Communist Party School of Business Relations to realize money from insurance and other activities.

During the period from 1919 to 1934, members of the CPUSA were sent to other countries to assist in Communist Party activities there, in many instances under specific instructions from the Communist International; the Communist International financed these missions.

A member of Respondent organization, who was specializing in labor activities in the United States, was sent to the Soviet Union in 1934 to serve as a representative of the Trade Union Unity League at the Red International of Labor Unions at Moscow; the latter was a section of the Communist International. Funds for the trip were furnished by Jacob Golos, a representative of the Soviet Union in the United States. Subsistence while in Moscow was borne by the Red International of Labor Unions.

In 1927, the International Red Aid sent Russian films to the United States, free of any charge. The films were delivered to the International Workers Aid. The CPUSA determined the distribution of profits realized from the showing of the films in the United States.

In the 1920's, the Communist International sent a show troupe to the United States called the "Blue Blouses." This troupe operated under the auspices of the Workers International Relief. The funds realized from their tour in this country were distributed to various organizations by Respondent, including itself and the *Daily Worker*.

During the years 1930 to 1934 the Communist International provided subsidies for *Labor Unity*, a labor magazine operated under the direction of the CPUSA.

In 1939, the Treasurer of the CPUSA stated that it was impossible to put additional CPUSA funds into the *Midwest Daily Record*, a CPUSA controlled paper, because at that time communications to their sources of funds abroad, i. e., the Soviet Union, had been disrupted.

During the late 1930's, the *Daily Worker* received political news dispatches free from the Runag news service in Moscow. These dispatches were used by the editorial staff of the *Daily Worker* and, also, were distributed to the Party leadership for scrutiny and study. After the passage of the Foreign Agents Registration Act in 1938, these dispatches were sent to *The Intercontinent News*, a corporation which had been formed by the CPUSA in New York City to handle the service in a manner that to all appearances would be independent of the *Daily Worker*. This medium in turn relayed the dispatches to the *Daily Worker* at a nominal cost.⁵⁸

In or about 1949, Respondent, through International Publishers, received from the Soviet Union book plates and English translations of books, such as an edition of *The Selected Works of Lenin*, as well as actual page proofs for books, with no charge.

After the passage of the Voorhis Act in 1940, with the consequent nominal disaffiliation of Respondent from the Communist International,⁵⁹ evidence of such financial aid does not appear in the record with one exception, this being the above instance of financial aid to Respondent in or about 1949.

Respondent denies that it receives financial aid from or at the direction of the Soviet Union or the Communist International; and denies the relevancy of the above findings to any issue in this proceeding.

We find a preponderance of the evidence in the record establishes numerous instances of substantial financial aid which flowed to

⁵⁸ This news service from Moscow ceased in 1944 when the Department of Justice ordered *The Intercontinent News* either to label its news material as propaganda or to discontinue its service. Thereafter, the *Bulletin* of the Soviet Embassy was used as a news source. We have reviewed Respondent's Exhibits 70-75, incl., but we do not credit them for the purpose offered in view of the testimony of Petitioner's witness Budenz concerning them, which we accept.

⁵⁹ This is discussed fully hereinbefore.

Respondent from and at the direction of the Soviet Union and the Communist International; and we conclude that the above findings are relevant to the ultimate issue in this proceeding in the light of the whole record.

E. TRAINING AND REPORTING

Sections 13 (e) (4) and (5) of the Act provide that in determining whether or not an organization is a "Communist-action organization," the Board shall take into consideration:

(4) the extent to which it [Respondent] sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement; and

(5) the extent to which it [Respondent] reports to such foreign government or foreign organization or to its representatives; * * *

The petition alleges inter alia:

The Communist Party regularly reports and has reported to the government and Communist Party of the Soviet Union and to the Communist International and the Communist Information Bureau, and has sent members and representatives to the Soviet Union and other foreign countries for instruction and training in the principles, policies, strategy, and tactics of the world Communist movement * * *.

Respondent denies the foregoing allegations of the petition, but states in its amended answer that during the period of its affiliation with the Communist International, members and representatives of Respondent attended and participated in Communist International Congresses and certain of its committees; that members of Respondent have from time to time visited foreign countries, including the Soviet Union; and that, in the past, certain members of Respondent studied in the Soviet Union.

In its amended answer and again in its exceptions, Respondent denies the relevancy of any of these conceded facts to any issue in this proceeding. Upon consideration of the record, we do not agree with this contention.

The evidence pertaining to "training" and "reporting" is somewhat interwoven and we have, therefore, consolidated these subjects in this section of our report.

Since Respondent admits that its members have studied in the Soviet Union, that it has participated in meetings of the Communist International, and that it has sent representatives to the Soviet Union, it is unnecessary to set forth in this part of our report the considerable amount of detailed evidence establishing these points, except to the extent it may be necessary for an understanding of the findings under these criteria.

An elaborate world-embracing school system was established in Moscow for training Communists and preparing them for leadership roles in the world Communist movement. The Western University taught trainees from the semi-agrarian areas, such as the Balkan and Baltic countries; the Eastern University schooled trainees from the Asiatic countries, such as China, Siam, and Korea; the Academy of Red Professors was a training school for theoreticians for the world Communist movement; a special section of the Frunze Military Academy was devoted to training students sent from foreign countries; and the Lenin School took in trainees from the "more advanced" countries, such as Germany, France, England and the United States. Petitioner's witness Honig was an American instructor at the Lenin

School in 1934-35 where he taught labor subjects to a select group of Respondent's members. In the main, however, the school's instructors were Russians.

To qualify for training in Moscow a CPUSA member had to be recommended by Respondent and approved by the Communist International, which had established as qualifications for selection that the student be less than 36 years of age, have 5 years of active Party work, and be above average in ability.

Petitioner's witness Crouch, during the period 1928-30, studied material at the Fronze Academy pertaining to civil war, guerrilla tactics, and sabotage.

From 1928 to 1936, many of Respondent's outstanding members were sent to the Lenin School for varying periods where they received training and instructions in the strategy and tactics of the world Communist movement. Among them were Gus Hall,⁶⁰ Steve Nelson, Irving Potash,⁶⁰ Charles Krumbein, Joseph Kornfeder, George Siskind, Morris Childs, Ray Hansborough, Roddie Lester, Admiral Kilpatrick, Abraham Lewis, Margaret Unjus, Rudolph Baker, Sclar, Harry Haywood, Odel Nowell, Charles White, Leonard Patterson, Timothy Holmes, William Patterson, Hutch Hutchinson, George Hewitt, Sam Nessin, Beatrice Siskin, Philip Raymond, John Marr, William Brown, Claude Lightfoot, William Taylor, Bill Kruse, and Bell. Many of the aforementioned persons held high positions in Respondent,⁶¹ including Nowell and Kornfeder who testified for Petitioner in this proceeding.

The evidence establishes that in the early 1930's Respondent's students in the Lenin School were taught such subjects as Marxism, Leninism, the history of the labor movement, trade-union and strike strategy, history of the Communist Party of the Soviet Union, history and organizational structure of the Communist International, the national and colonial problem, including the concept of a Negro nation in the "black belt" of the United States;⁶² the history of the CPUSA; international propaganda, the theory and practice of Soviet economy, revolutionary tactics and the science of civil warfare. These subjects at the school were adapted to the peculiar conditions in the countries of the students, including the United States. For instance, the course given Respondent's members on civil warfare included political and economic conditions in the United States, the culture of the people, the terrain, the histories of the United States and the CPUSA, and the degree of political maturity in the United States. Students in the course were taught also how to convert economic strikes into political strikes, and then into general strikes that might precipitate revolution. They also were taught how to disassemble and reassemble the guns and small arms of the major nations.

For the actual carrying out of the revolution, Red Army officers taught military details in both legal and guerrilla warfare, how to erect barricades, snipe, throw grenades, use gas masks, sabotage, take over the system of transportation, seize food supplies and persuade army units to fight with the insurgents and guerrillas. They were taught how to capture and hold hostages, capture arsenals, arm Communist supporters, utilize and destroy food and water supplies, and, in general, how to carry on a total revolution for the seizure of power.

⁶⁰ Convicted in 1949 of conspiring to teach and advocate the overthrow of the United States Government.

⁶¹ Gus Hall signed Respondent's amended answer in this proceeding as National Secretary of the CPUSA. Claude Lightfoot was an alternate member of Respondent's National Committee in 1950.

⁶² See pp. 74-77, *supra*, for a full discussion of this subject.

All this was taught with the object of destroying the economic system in the United States, and establishing a dictatorship of the proletariat here.

Concerning strategy and tactics, students at the Lenin School were taught, among other things, that "partial demands," i. e., demands within the framework of democratic procedure dealing with limited grievances on everyday problems, served as a tactical means, "a cutting edge," for the Party in mobilizing for the long range objective of the general strategy, this being the overthrow of capitalist governments everywhere through proletarian revolution. This tactic has been utilized constantly by Respondent in this country.

On the subject of "just" and "unjust" wars, the students were taught that any war in which the Soviet Union becomes involved is a "just" war for the Soviet Union, regardless of whether the Soviet Union is the aggressor or defender; that any war between a colony and its mother country is a "just" war for the colony; and conversely, any war against the Soviet Union, regardless of who is the aggressor, is "unjust" for the Soviet Union's adversary. In the event of war between two "imperialist powers" the students were taught to work for the destruction of both and thus leave to the Soviet Union a clear field for future conquest.⁶³

Concerning the ultimate aim of the Party regarding capitalist-imperialist nations, students were taught that the class struggle prevailed throughout the capitalist world; that internal contradictions within these states were becoming sharper; and that their international imperialist policies toward colonial peoples were becoming more oppressive. They were further taught that, in view of these political and economic conditions, it was the duty of the CPUSA, as a part of world Communism, to cultivate revolutionary movements in colonial countries; and, in striving for world socialism, to work for the overthrow and complete abolition of capitalist states and imperialism.

In conformance with the foregoing, students from the United States were taught that the proletarian revolution was necessary and that it was their major duty to work under the leadership of the Communist International and Respondent for the overthrow of the United States Government.

The texts used by Respondent's members at the Lenin School included Lenin's *State and Revolution* (Pet. Ex. 139); *Left Wing Communism*; *Military Revolution*; *Imperialistic War*; *What Is To Be Done* (Pet. Ex. 417); *How It Is To Be Done*; *Imperialism* (Pet. Ex. 140); *Infantile Leftism*; a modern treatment of Lenin's works by Leontov entitled *Leninism by Leontov*; Stalin's *Foundations of Leninism* (Pet. Ex. 121); and *Problems of Leninism* (Pet. Ex. 138); Marx's *Capital*; the *Communist Manifesto* (Pet. Ex. 31); Engel's *Scientific Socialism*; the *Programme of The Communist International* (Pet. Ex. 125); the *Theses and Statutes of the Third (Communist) International*, including the 21 conditions for membership therein (Pet. Ex. 8); a number of writings by Soviet authors concerning political policies and the economy of the Soviet Union; and other works.

The purpose of Lenin School instruction as explained by Earl Browder, then leader of Respondent, was to develop Party leaders and through them to raise the political and ideological level of the

⁶³ An illustration of adherence by the Soviet Union and Respondent to this principle is found in the portion of this report dealing with their policies regarding World War II (see p. 83, *supra*).

Party membership as required by the development and intensification of revolutionary situations developing in countries throughout the world, including the United States.

In addition to the formal institutionalized schooling in the Soviet Union, many of Respondent's highest functionaries have received training through serving abroad in various positions of the international Communist organization. Honig, while functioning as CPUSA representative to the Red International of Labor Unions, was sent to various places in the Soviet Union to study Soviet operations and the activities of Soviet trade unions. William Z. Foster,⁶⁴ Earl Browder,⁶⁵ Gilbert Green,⁶⁶ Charles Ruthenberg, and Alexander Bittelman,⁶⁶ functioned for various periods during the 1920's and early 1930's in Moscow as members of the Soviet-controlled Executive Committee of the Communist International. In addition to the aforementioned position, Foster also served on the Presidium of the Communist International and Green was a member of its Young Communist League Secretariat. William F. Dunne served as an alternate member of the Executive Committee of the Communist International in the 1920's. Bosse functioned in the Information Department of the Communist International in 1926 and 1927. In the early 1930's, Clarence Hathaway functioned as representative of Respondent to the Communist International and also served as a member of the Anglo-American Secretariat of the Communist International in Moscow. Robert Minor succeeded Hathaway as Respondent's representative to the Communist International. Other members who served as the Party's representatives in Moscow include Louis Farina, John Reed, Nicholas Horawich, Israel Amter, Louis Engdahl, Max Bedacht, Harrison George, and H. M. Wicks. Morris Childs was a member of the Lander Secretariat of the Comintern. Harry Heywood served on the International Negro Bureau of the Communist International.

The record establishes that following their return to the United States, members of Respondent who had been trained and indoctrinated in the Soviet Union taught in Respondent's schools, and put into practice, where circumstances permitted, that which they had learned in the Soviet Union.

There is no substantial evidence of record showing training of Respondent's members in the Soviet Union subsequent to the outbreak of World War II. However, it is established that the extensive foreign training set forth above is still being effectuated in this country by Respondent. This training was clearly a program initiated by the Soviet Union to indoctrinate while there outstanding workers and leaders of Respondent so as to have a cadre for imparting such training to Respondent's membership in the United States.

It is apparent that World War II, and what Respondent has termed the "political situation" in this country subsequent to the war, have made travel to Moscow to obtain such training inexpedient or impossible. It is reasonable to conclude that this foreign training is no longer imperative to the functioning of Respondent as a Marxist-Leninist Party because its outstanding members and leaders, having received Soviet indoctrination, are able to educate, similarly, students

⁶⁴ Presently leader of Respondent.

⁶⁵ Leader of Respondent 1929-45.

⁶⁶ Recently convicted of conspiring to teach and advocate the overthrow of the United States Government.

at Party schools in this country and to dispense their previous training through Respondent's publications and activities.

We find that Respondent has sent its members and representatives to the Soviet Union, at the latter's insistence and with its financial assistance,⁶⁷ for instruction and training in the principles, policies, strategy and tactics of the world Communist movement, as determined by the Soviet Union, for the purpose of adopting and effectuating such principles, policies, strategy and tactics in the United States, which it does.

There is considerable evidence of record that Respondent reports to the leadership of the world Communist movement, as we now establish.

In 1926, William Z. Foster and Alexander Bittelman were in Moscow and made a written report to the Communist International covering Respondent's activities during the year 1925 with reference to the economic and political situation in the United States, trade unions, Socialist Parties, Bolshevization of Respondent, Leninist education, United Front campaigns, Negroes, farmers, women, anti-imperialism and internal Party developments.⁶⁸ The witness Gitlow went to Moscow in 1927, 1928 and 1929 to discuss similar matters with the Comintern officials. In 1929, Gitlow and other members of Respondent traveled to the Soviet Union to participate in a hearing held in Moscow by the Communist International to resolve the factional dispute then raging within Respondent. (The details of the settlement of this factional dispute are discussed *infra*, pp. 101-102, *supra*, pp. 13-14.)

Respondent's youth organization, the Young Workers League, was in continuous communication with the Young Communist International. The witness Crouch visited Moscow in 1928, where he met with general staff officers of the Red Army and reported to them concerning activities designed to increase Communist infiltration in the American armed forces. He presented a tentative draft for future work, posed questions, and received answers and detailed directives. Reports of Respondent's work on the Negro question, including the work of the Party-controlled American Negro Labor Congress, were sent in the 1920's to the Eastern Department of the Communist International, which then had jurisdiction over this phase of Respondent's activities. The witness Nowell reported on behalf of Respondent in Moscow in 1930, on matters concerning the Trade Union Unity League (TUUL) in the United States. During his stay in Moscow, Nowell received instructions in various aspects of the world Communist movement including the Negro question in the United States.

The witness Honig went to Moscow in June 1934, and remained there until November 1935 as "referent" and official representative of the Trade Union Unity League and Respondent to the Red International of Labor Unions, a creature of the Communist International. Honig, representing Respondent, attended meetings of representatives from various Communist parties throughout the world that were held in Moscow not less than once a week. At these meetings, the representatives reported on the activities in which their parties were

⁶⁷ See findings under "Financial Aid," pp. 86-89, *supra*.

⁶⁸ Their report also contains various statements as to Respondent's activities in carrying out "decisions" and "main lines of policy" dictated by the Communist International and, therefore, constitutes additional evidence to that reviewed in support of our finding and conclusion that Respondent acts pursuant to directives and to effectuate policies of the Soviet Union as covered *supra* at pp. 78-79.

engaged among trade unions in their respective countries, and discussions based on their reports followed. Leaders of the Comintern were always present at these meetings and registered approval or disapproval of the work being carried out in the various countries; they also determined whether such work was being carried out according to the instructions of the Comintern and gave directions as to how it should be conducted. Honig, while functioning in the Communist International's labor organization (RILU) in Moscow, received reports from Jack Stachel,⁶⁹ then acting head of the Trade Union Unity League; and Earl Browder, then head of Respondent, concerning the failure of the San Francisco general strike of 1934. Reports which Honig received at the Red International of Labor Unions were generally mimeographed or typed when not of a confidential nature and were sometimes sent through the mails. Confidential reports were taken to Moscow by American Party leaders and by Respondent's students going to the Soviet Union for training.

Minutes of meetings of Respondent's Central Executive Committee and its Political Committee were sent to Moscow during the 1920's and 1930's. Reports also were sent by various departments of Respondent's national headquarters and by individual CPUSA leaders. As positions of leadership in Respondent could not be held without the approval of the Soviet Union, advancement in the Party depended in part upon the reflection of a member's work in these minutes and reports. In addition to the foregoing, the minutes of Respondent's Political Committee covering official actions of Respondent during the years 1925 to 1928 reflect many instances of reporting to the Communist International through representatives sent to Moscow and through other channels of communication.

The Information Department of the Communist International collected and digested for the Comintern's Executive Committee, all information sent from the American Party. The Anglo-American Secretariat of the Communist International received reports from the English speaking Communist Parties, including Respondent; and during witness Kornfeder's membership on this Secretariat in the period 1927 to 1930, he received reports and recommendations from Respondent concerning the situation then existing in the United Mine Workers Union.

In 1932, Earl Browder reported to the Communist International on behalf of Respondent's Central Committee concerning economic developments in the United States as they related to the world situation at that time.

It is reasonable to conclude that Respondent has reported more recently to the Soviet Union through representatives of the World Communist movement from evidence furnished by the witness Matusow. While he was state literature director of the New York State Labor Youth League, Matusow attended a meeting in the fall of 1949 at which Lou Diskin (a member of the CPUSA) gave a report on a recent trip that he (Diskin) had taken to Budapest, Hungary, where he met with J. Peters ⁷⁰ at a World Youth Festival. Diskin remained to report on and discuss the American youth movement of Respondent, and the American Communist Party movement generally, with officials of the World Federation of Democratic Youth, and with

⁶⁹ Convicted in 1949 of conspiring to teach and advocate the overthrow of the United States Government.

⁷⁰ See pp. 60-61, *supra* re Peters.

representatives of the Communist Information Bureau (Cominform). Elizabeth Gurley Flynn, a member of Respondent's highest governing body and a witness for Respondent herein, visited France in 1945, 1949, and again in 1950, where she met with Communist Party leaders of other countries, including, in 1945, the Soviet Union. At the 1949 meeting, there was discussed the question of the "imperialist war" which the conferees claimed was being fomented by the United States, and they considered the steps to be taken and the role of Respondent with reference to this question.

The record discloses an instance where, by means unknown, the contents of an important letter written by William Z. Foster concerning Respondent's affairs were communicated to Jacques Duclos, General Secretary of the Communist Party of France and a former member of the Executive Committee of the Communist International. The letter in question played a decisive part in Respondent's reconstitution in 1945, as elsewhere herein covered.⁷¹ The record further shows that Respondent has reported its program and activities to the Soviet Union through representatives of the Communist International and other agents of the Soviet Union in the United States,⁷² who exerted influence and control over the leadership and programs of Respondent.

In addition to Respondent's reporting in the aforementioned ways, the record establishes the existence of another form of reporting through the issuance and exchange of significant, detailed and timely information in the form of "greetings," which are generally reprinted in Communist publications.

This exchange of messages contained in "greetings" commenced early in Respondent's history. We will cite typical examples of the numerous "greetings" so exchanged. The following "resolutions" were adopted at Respondent's convention in 1921 and sent to the Soviet Union:

* * *

2. Greetings to the Third World Congress of the Communist International.

The delegates of the Communist Party of America and the United Communist Party of America, in joint Unity Convention, send fraternal greetings to the Third World Congress of the Communist International. In the name of the revolutionary proletariat of America, we affirm our determination to fight under the banner of the Communist International for the overthrow of the American imperialism and for the establishment of the proletarian dictatorship. Hail to the International Soviet Republic! Long live the Communist International! (Pet. Ex. 13 (a)).

3. Greetings to the Soviet Republic.

* * *

The unified party, the Communist Party of America, declares that it will render all possible assistance to the Russian Soviet Republic in its struggle against the counter-revolutionary bands of the world imperialism. The Communist Party of America declares that only by the overthrow of world imperialism will the safety and mastery of the Soviet Republic over its enemies be definitely assured. The Communist Party of America pledges itself to rally the revolutionary proletariat of America for the annihilation of the most formidable stronghold of world imperialism: the American capitalist state, and to struggle for the establishment of the proletarian dictatorship. Down with world imperialism! Hail to the universal Soviet Republic! Long live the international solidarity of the workers! (Pet. Ex. 13 (a)).

4. To the Third World Congress of the Communist International.

⁷¹ See pp. 15-16, *supra*.

⁷² See pp. 59 to 61, *supra*, re activities of these representatives in this country.

The Unity Convention of the Communist (sic) of America and the United Communist Party of America fully upholds and endorses the firm and uncompromising stand of the Executive Committee of the Communist International against the opportunistic and centrist elements in various countries—in Italy (Serrati), and in Germany (Levi). The convention instructs its delegates to the third world congress to uphold and defend the stand of the Executive Committee of the Communist International * * * (Pet. Ex. 13 (a)).

In September 1927, on the occasion of its Fifth Convention, Respondent received "greetings" from the Comintern that were read to the Convention by acting chairman Gitlow, after which the governing body of Respondent was instructed to draw up a reply. The Comintern "greetings," in part, follow:

In the country of the most powerful imperialism and a most brutal capitalist class the Communist Party can fulfill its duty and can become the leader of the working class against imperialism and capitalist aggression only if it is united and if it is not torn to pieces by factional struggle.

The Comintern considers as one of the central tasks of the Party the *extermination of all factionalism* and the *unification* organizationally as well as ideologically. It will be the duty of the newly elected Central Executive Committee to lead the Party in a nonfactional spirit and it will be the duty of the whole Party membership to rally around the Central Executive Committee which it itself shall have chosen. * * * [Italics supplied.] (Pet. Ex. 23.)

This "greeting" elicited a response which Respondent openly declared to be a "reply" and in which it gave assurances to the Communist International that it would comply with what were, in effect, the directions contained in the Comintern "greeting." This reply is as follows:

The Fifth Convention of the Workers (Communist) Party greets the International leader of the working class, the Communist International. Under its leadership and with our own firm and unanimous determination to unify our Party, we will overcome the tremendous difficulties in the path of building a mass Communist Party in America. The Convention recognizes fully as Party's task the winning of the American proletariat for the revolutionary struggle against American imperialism.

In the execution of this task we are inspired and guided by the principles of Marxism and Leninism, by the experiences of the victorious struggles of the Russian proletariat and the heroic battles of the exploited and oppressed masses of Europe and Asia. The Convention and the incoming Central Executive Committee pledge themselves speedily to *eliminate all remnants of factionalism* and to unify the Party as a prerequisite for the further success of our work. [Italics supplied.]

We pledge the *unification of our Party* and to fight more effectively for the defense of the Soviet Union and the Chinese revolution and against the war danger as well as to resist more effectively the offensive of the capitalist reaction and the reactionary trade union bureaucracy against our Party and the militant section of the American working class. [Italics supplied.]

The Convention is spurred by a full consciousness of its duty to recruit the toiling masses of America for relentless struggle against American imperialism.

Long live the Soviet Union!

Long Live the Communist International!

Fifth National Convention.
Workers (Communist) Party.
(Pet. Ex. 24.)

On the occasion of the Sixth Convention of Respondent, in 1929, a "greeting" was sent to the Communist International in Moscow which contained the following:

We greet our Communist International leadership and pledge our Convention and our Party to prepare itself, to strengthen itself, to clarify itself, for its share of this task. It will close its ranks, it will cleanse its ideology from the poison of opportunism, it will defeat Trotskyism, it will mobilize against and lead the Ameri-

can proletariat for the struggle against the imperialist war; it will mobilize the American workers for the defense of our Soviet Union and for the final defeat of American imperialism by the revolutionary overthrow of American capitalist rule. [Emphasis supplied.]

Long Live Leninism!

Long Live the Communist International! (Pet. Ex. 28).

On December 21, 1949, the *Daily Worker* reprinted a telegram "greeting" sent by Respondent to Joseph Stalin on his 70th birthday which states, among other things:

Like the Communists and other true partisans of peace, democracy and progress in all lands, we hail your more than 50 years of sterling leadership in the interest of the international working class and humanity.

Under a Hitler-like anti-Soviet and anti-Communist smokescreen, the American imperialists launched their predatory and aggressive Truman Doctrine, Marshall Plan, and North Atlantic Pact.

Undaunted by the threats of the war instigators, the USSR steadfastly pursues its Stalinist peace policy and promotes cooperation with all who strive for peace. And the mighty world camp of peace, democracy and socialism headed by the Soviet Union, daily becomes more powerful and is destined to triumph.

In our country, too, the organized peace forces, among the workers, the Negro people, men and women of science and culture, are growing and will continue to grow in unison with the peace forces of the world.

After stating that the American people "favor acceptance" of Stalin's proposals for a "Pact of Peace, for demilitarizing and democratizing Germany and Japan, * * * outlawing the atom bomb", the telegram declares that the American people envy and admire the Soviet Union's peaceful harnessing of atomic energy and that they rejoice at the victory of the Chinese Communists and their bond with the Soviet Union. The so-called telegram "greeting" closes by stating:

With full confidence in the American working class and people, the Communist Party of the USA exerts every effort to assure that by their united action they will check and help defeat the fascist-minded monopolists and warmongers. As this united action grows in influence and scope, it will bring its full weight to bear for the achievement of an American-Soviet pact of peace and friendship—the cornerstone for world peace.

Long life to you, Comrade Stalin, and to your great and enduring contributions to world peace, democracy and Socialism (Pet. Ex. 375).

Petitioner's witness Lautner establishes that the primary significance of this "greeting" lies in Respondent's reaffirmation of loyalty to Stalin as the acknowledged leader of the world Communist movement.

That such "greetings" actually convey significant messages between members of the world Communist movement when the wording appears comparatively innocuous to the uninitiated is made clear by both testimonial and documentary evidence of record. The following quotation from the August 1, 1948, issue of *For a Lasting Peace, for a People's Democracy*, official organ of the Communist Information Bureau, demonstrates the significance given to a simple statement of solicitude by Stalin:

Comrade Stalin's telegram to the Central Committee of the Communist Party of Italy said: "The Central Committees of the Communist Party of the Soviet Union (Bolsheviks) is grieved that Comrade Togliatti's friends failed to protect him from this foul and cowardly attack."

The reply sent by the Central Committee of the Italian Communist Party to Comrade Stalin is worthy of this well-tested Party. In their answer the Italian comrades assure Comrade Stalin that the solidarity of the heroic Soviet people and

Stalin's warning about vigilance will be for the Italian Communists "a spur to strengthen and develop the struggle of the united international front of peace, democracy and socialism."

All the Communist Parties took Comrade Stalin's message to the Italian Communist Party as the expression of his great solicitude for the international working class movement and its leaders.

Increased struggle against remnants and revivals of fascism, the welding of all supporters of democracy and progress into a single socialist camp will be the best answer of the Communists of all countries to Comrade Stalin's solicitude. [Emphasis supplied.] (Pet. Ex. 264.)

To show further the significance attached by the initiated to these "greetings", Lautner explains in this light the import of "greetings" received by Respondent at its 15th Convention in December 1950 from the Communist Party of the Soviet Union (CPSU), which follow:

The Central Committee of the Communist Party of the Soviet Union extends fraternal greetings to the 15th Convention of the Communist Party of the U. S. A. We wish the Communist Party of the U. S. A. successes in its *struggle against reaction*, for the vital interests and rights of the working class and all toilers of the United States of America, for the *ideological strengthening of the Party ranks*, for lasting peace between the peoples.

May the international solidarity of the toilers in the *struggle for peace, democracy and Socialism* gather strength. [Italic supplied.]

Long live the friendship between the peoples of the United States and of the Soviet Union!

Long live the Communist Party of the United States!

CENTRAL COMMITTEE
Communist Party of the Soviet Union
(Pet. Ex. 376, p. 229.)

Lautner, from his experience as a former high official of Respondent (until January 1950) and as a student of Marxism-Leninism, establishes that this greeting from the CPSU was a political document of the highest importance to Party members since in a concise way it raised all the key problems confronting Respondent. Specifically he interpreted some of the various terms used by the CPSU as follows: "struggle against reaction" as basic Marxist-Leninist opposition to imperialism and monopoly capitalism, i. e., the basic line of the Party; "struggle for peace, democracy, and socialism" as the new tactical approach since the end of World War II on which a new tactical united front is to be built; "ideological strengthening of the Party ranks" as a reference which the Soviet Party used to call the attention of the rank and file Party members to the "Browderite" disaffection and other opportunist deviations.

It is reasonable to conclude, and we do so, that the language used by Respondent in its "greetings" to the Soviet Union is likewise possessed of veiled content through which Respondent reports in this manner to the Soviet Union.

Respondent's witnesses deny categorically that Respondent reports or has reported to the Soviet Union or its representatives. The clear weight of the evidence is to the contrary.

Upon the basis of the foregoing and the entire record, we conclude and find that Respondent reports to the Soviet Union and its representatives.

F. DISCIPLINARY POWER

Section 13 (c) (6) of the Act provides that the Board shall take into consideration:

the extent to which its [Respondent's] principal leaders or a substantial number of its [Respondent's] members are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives;

The petition alleges:

From the inception of the organization to the date of the filing of this petition, the principal leaders of the Communist Party have been and are subject to and recognize the disciplinary power of the Soviet Government, the Communist Party of the Soviet Union, the Communist International and the Communist Information Bureau and other spokesmen of the world Communist movement. This power has been exercised principally through the Communist doctrine of "democratic centralism" which binds all Communists to execute the decisions of the leaders of the world Communist movement.

Respondent's witness Gates says the leaders of the Party do not recognize and do not consider themselves subject to the disciplinary power of the Soviet government, the CPSU, the Comintern, the Cominform or any agencies of these organizations. He stresses that Respondent's leaders are subject only to the discipline of the Party. He maintains the leaders of Respondent do not recognize any disciplinary power over them by the Soviet Union any more than the fact that he loves his wife indicates that she has disciplinary power over him.

On the other hand, the record shows that under the rules and conditions governing the world Communist movement as promulgated by the Soviet Union and accepted and followed by Respondent there is prescribed a party of iron discipline on an international as well as a national scale.⁷³ This "iron discipline" borders on "military discipline" and implies "the establishment of authority, the transformation of the power of ideas into the power of authority, the subordination of lower Party bodies to higher Party bodies" (Pet. Ex. 121, pp. 113 and 114; 120).

The requirements of discipline in the world Communist movement as formulated by the Soviet Union are, as previously noted, twofold. First, on an international scale the decisions of the leadership of the movement—the Soviet Union—are made binding and obligatory upon the various Communist Parties and their members through the concept of democratic-centralism and through policies and rules issued by organizational instrumentalities such as the Communist International; and the various Parties as well as their members are prohibited from any deviation from the line laid down by the Soviet Union. Secondly, the individual parties are required to maintain similar discipline within their own organizations and to guard against factionalism or division of authority in the Party—to purge themselves of dissident elements.⁷⁴

The record shows that the principle of strict international discipline in the world Communist movement is basic and has for its purpose unity in the struggle against imperialism, in order that the "revolutionary work and revolutionary action may be coordinated" and "guided most successfully" (Pet. Ex. 125, p. 84). In other words, it is a fundamental of the world Communist movement that in order to accomplish the establishment of dictatorships of the proletariat and the defense of the Soviet Union there must exist in every country a "compact Communist Party, hardened in the struggle, disciplined,

⁷³ See the section of this report under the heading "Marxism-Leninism" and the sections covering the Communist International and the Communist Information Bureau.

⁷⁴ See, for example, Pet. Exs. 8 and 125.

centralized, and closely linked up with the masses" (Pet. Ex. 125, p. 75).⁷⁵

We proceed, in the light of the foregoing, to examine the evidence concerning Respondent's recognition and acceptance of the disciplinary requirements of the world Communist movement as laid down by the Soviet Union.

One of Respondent's present top leaders, Bittelman, in his pamphlet "The Communist Party In Action," published in 1932, says:

* * * But our World Communist movement always presented an iron front against any such weakening of international discipline, fighting for the Leninist principle that the Communist Party is a monolithic and homogeneous body of revolutionary workers functioning as the vanguard of the working class (Pet. Ex. 144, pp. 34-35).

Speaking of deviations from theory and policy as well as in the daily practical work, the article observes:

* * * We observe, however, among certain Party members, a tendency to be easygoing, tolerant and conciliatory towards opportunist deviations. This is a dangerous attitude which is very harmful to the interests of the working class and to the growth of our Party. It is this attitude that Comrade Stalin attacked so sharply, branding it as "rotten liberalism" and calling upon every communist to demonstrate in practice in his everyday revolutionary work true Bolshevik intolerance of an irreconcilability with all opportunist deviations from the Leninist line (*ibid.*, p. 48).

In 1934, Respondent defined the executive committee of the Communist International as "the general staff of the world revolutionary movement giving unity and leadership to the Communist Parties of the world" (Pet. Ex. 136, p. 18). Respondent's *Manual On Organization*, issued in 1935, notes that Communists attach "so much importance" to discipline because "without discipline there is no unity of will, no unity of action" (Pet. Ex. 145, p. 28). Henry Winston, a present top leader of Respondent, told the 14th National Convention of the Party in 1948 that:

* * * We do not shrink from the hammer blows of reaction. Under them we will steel our Party in Communist discipline, loyalty and unity, develop its Marxist-Leninist understanding, and temper our cadres and leadership * * * (Pet. Ex. 418, p. 856).

The foregoing is indicative of a continued recognition and acceptance by Respondent of iron discipline in the world Communist movement, particularly when viewed in the light of the facts set forth in the section of this report covering Respondent's operation pursuant to directives of the Soviet Union and to effectuate the policies of the Soviet Union in the world Communist movement.

Particularly significant of the operation and enforcement of discipline by the Soviet Union in the world Communist movement and of Respondent's recognition of this discipline and subjection to it, is the evidence concerning the requirement that the Communist Parties and their members "follow the line" laid down by the Soviet Union. Those who do not follow the line are branded as "opportunists," "revisionists," "factionalists," "renegades," "stool-pigeons," etc., and are purged from the Party.

We have previously herein noted Respondent's present use of such Marxist-Leninist material as the *History of the Communist Party of*

⁷⁵ This principle was a requirement of the Communist International and is also stated in *Strategy and Tactics of the Proletarian Revolution* (Pet. Ex. 343, p. 62), which was used and referred to many times by Respondent during the seven years ending in 1949 that Petitioner's witness Philbrick was a member and held official position in Respondent.

the Soviet Union (Bolsheviks) and a pamphlet entitled: "Resolutions—Seventh Congress of the Communist International"⁷⁶—Including The Closing Speech of G. Dimitroff." The following excerpts from these documents show what Respondent is teaching its members and is practicing as well, concerning the necessity to "follow the line."

In the *History* it is stated:

The History of the Party further teaches us that unless the Party of the working class wages an uncompromising struggle against the opportunists within its own ranks, unless it smashes the capitulators in its own midst, it cannot preserve unity and discipline within its ranks, it cannot perform its role of organizer and leader of the proletarian revolution, nor its role as the builder of the new Socialist Society (Pet. Ex. 330, p. 359).

And Dimitroff's speech as contained in the aforementioned document says in part:

Championing, as we do, working class unity, we shall with so much the more energy and irreconcilability fight for unity within our Parties. There can be no room in our Parties for factions, or for attempts at factionalism. Whoever will try to break up the iron unity of our ranks by any kind of factionalism will get to feel what is meant by the Bolshevik discipline that Lenin and Stalin have always taught us. [Applause.] Let this be a warning to those few elements in individual Parties who think that they can take advantage of the difficulties of their Party, the wounds of defeat or the blows of the raging enemy, to carry out their factional plans, to further their own group interests. [Applause.] The Party is above every thing else! [Loud applause.] To guard the Bolshevik unity of the Party as the apple of one's eye is the first and highest law of Bolshevism! [Emphasized in text.] (Pet. Ex. 137, p. 13.)

Respondent's *Manual On Organization*, to which we have referred in various places in this report, points out that basic principles and decisions, such as the necessity for the proletarian dictatorship, the correctness of the line "laid down" by Marx, Engels, Lenin, and Stalin, and the necessity for the forceful overthrow of capitalism, cannot be questioned (Pet. Ex. 145, p. 26). Respondent's publication *The Way Out* covering its 8th Convention held in 1934, says "Renegades are those who were formerly members of the Communist Party but were expelled from it for failure to follow the correct revolutionary line and who now fight against the revolutionary movement and against the Soviet Union" (Pet. Ex. 136, p. 17). John Gates, one of Respondent's present leaders and a witness for Respondent in this proceeding, told the 15th Convention held in 1950 that the struggle of "the renegades from Marxism against the Communist Party inevitably and logically leads to struggle against the Soviet Union and to becoming outright agents of the imperialist bourgeoisie," and that the Party needs "to be alert to the danger of factionalism" (Pet. Ex. 376, pp. 79 and 86). Also pertinent are Respondent's *Discussion Outline for Lenin Campaign*, issued in 1929 (Pet. Ex. 108), of which a considerable portion is devoted to discipline; and Respondent's publication *Why Every Worker Should Join The Communist Party*, issued in the mid-1930's (Pet. Ex. 143).

We treat now with specific incidents of record related to the purging of those who have not "followed the line." The record shows that from the beginning of Respondent's existence in the United States, the Soviet Union has exercised disciplinary power to enforce adherence to the revolutionary line. We have hereinbefore noted the foreign direction concerning the settlement of the factional dispute in Respondent

⁷⁶ William Foster and others were present and represented Respondent at the 7th Congress of the Comintern. See *supra*, p. 20 of this report.

in 1929 whereby, under Comintern "authority and wisdom," ⁷⁷ the Party was purged of factional elements and opportunists pursuant to Stalin's solution, in which he said:

* * * And when a revolutionary crisis develops in America, that will be the beginning of the end of world capitalism as a whole * * *. For that end the American Communist Party must be improved and bolshevized. For that end we must work for the complete liquidation of factionalism and deviations in the Party * * * ⁷⁸

Stalin's speeches before the Comintern on the settlement of the aforementioned factional dispute, which speeches were subsequently published in Respondent's official organ, ⁷⁹ refer to the conduct of Respondent's members who questioned the decisions of the Executive Committee of the Communist International as "insubordination" and apply the term "enemies of the working class" to the factional group. We find on the record that this expression covers so-called renegades, revisionists, reformers, opportunists, etc., and that the expression and words it covers are current in Communist use to denote one who deviates or does not follow the correct revolutionary line.

The record shows that Trotsky, who was expelled from the Communist Party of the Soviet Union, and Lovestone, who was expelled from the CPUSA, ⁸⁰ became descriptive of "enemies of the working class" who must be purged. We consider it significant, therefore, that Respondent's constitution as amended in 1942 provided: ⁸¹

No Party member shall have personal or political relationship with confirmed Trotskyites, Lovestoneites, or other known enemies of the Party and of the working class (Pet. Ex. 328).

And that the present constitution provides:

Personal or political relations with enemies of the working class and nation are incompatible with membership in the Communist Party (Pet. Ex. 374).

We have noted in other sections of this report that Paul Crouch, an early official of Respondent, was denied election in 1929 to the position of national secretary of the Young Communist League because of his previous support of Lovestone and upon instructions from Moscow. We have also noted that Nowell, while a student from Respondent to the Lenin School in Moscow, was disciplined by the Communist International for disagreeing with the policy on the "Negro question," and that Kornfeder was expelled in 1934 for failure to heed the instructions of a Soviet Union representative in the United States. Petitioner's witness Johnson was expelled by Respondent in 1940 for having exhibited opportunistic tendencies, and all members were warned not to have anything to do with him.

In many respects the reconstitution of Respondent under the name Communist Party in 1945, after having existed for about 13 months as the Communist Political Association, is similar to the 1929 settlement of the factional dispute which existed at that time. We have previously herein noted the foreign participation in the 1945 reconstitution and in the 1929 factional settlement. With respect

⁷⁷ Pet. Ex. 126, p. 246.

⁷⁸ Ibid.

⁷⁹ Pet. Ex. 109.

⁸⁰ Respondent's official declaration on the expulsion of Lovestone, Gitlow, and others who had refused to be bound by certain demands of the Comintern in 1929 calls their conduct "unprecedented warfare against the Party," and states that "any association with the expelled, any support given them is incompatible with the duties of membership in the Party" (Pet. Ex. 117, p. 2).

⁸¹ We note that although Respondent had previously announced "disaffiliation" from the Comintern, its constitution as amended in 1942 included the Comintern, together with Marx, Engels, Lenin, and Stalin as the enunciators of the principles according to which Respondent seeks to establish "socialism."

to the 1945 episode, William Foster reported to the convention that the only way he could have gotten his letter to the membership, which letter opposed the formation of Respondent under the name Communist Political Association, was by facing expulsion, and that since his letter would have caused disunity, anyone who attempted to discuss it would have been denounced as a Trotskyite by Browder. Following the reconstitution in 1945, Earl Browder was expelled as a "revisionist" for seeking to abandon basic Marxism-Leninism principles and for opposing the re-emphasis thereof which was part of the 1945 reconstitution following the Duclos and Manuisky pronouncements.

In 1950, Lautner, without advance warning, was subjected to a severe inquisition by officials of Respondent and forced to sign a statement that he was a spy and agent in the ranks of the Communist Party and had received a fair hearing. He was not, and had not been, a spy or agent. His efforts to get a hearing or review by Respondent's National Review Commission were ignored. His only notice or information about his expulsion came from an article in the *Daily Worker* stating that he was expelled as a "traitor and enemy of the working class." Indicative of the disciplinary program in the world Communist movement is the fact that the notice of Lautner's expulsion from the CPUSA was printed in the Cominform journal *For a Lasting Peace, for a People's Democracy*, and that the same issue contained a similar notice as to the expulsion of a member from the Communist Party of Italy, both under the heading "Rooting Out Traitors from the Ranks of the Communist Parties" (Pet. Ex. 362). Also in this connection, the record shows that in 1948 the Communist Information Bureau adopted a resolution that the leaders of the Communist Party of Yugoslavia were pursuing an unfriendly policy toward the Soviet Union and the CPSU (B), that this anti-Soviet attitude was incompatible with Marxism-Leninism, and that the Yugoslavia Party had failed to accept the criticism and measures set forth by the Central Committee of the Communist Party of the Soviet Union. The resolution suggests the Yugoslavia Party leaders be replaced if they did not "recognize their mistakes" and rectify them. This resolution was printed in the August 1948 issue of *Political Affairs* (Pet. Ex. 344) and was discussed in meetings of Respondent's groups. It was praised by Foster and Dennis. In 1949, the Cominform adopted another resolution concerning Tito and other leaders of the Yugoslav Party which brands them as "enemies of the working class" for becoming agents of "Anglo-American imperialism," conducting a "campaign of slander and provocation against the Soviet Union," and being disloyal to the principles of Marxism-Leninism. This resolution states the struggle against the Tito clique is the international duty of all Communist and Workers' Parties.

Finally, with respect to specific instances of discipline, in 1951 one Warwick Thompkins was expelled by Respondent for trying to organize Communist members to support in the distribution of leaflets containing "slanderous" remarks about the Soviet Union.

In addition to the foregoing, we have also taken into consideration in connection with Respondent's recognition of and subjection to the disciplinary power of the Soviet Union, the facts elsewhere herein set forth concerning Respondent's following of the concept of democratic-

centralism, the nature of the *Daily Worker*, and the activities of foreign Communist representatives sent to supervise Respondent. Regarding this latter aspect, the record shows that some of the foreign representatives or agents sent to the United States have been members of the Soviet secret police who instructed Respondent on underground and espionage work. Petitioner's witnesses Gitlow, and later, Budenz, knew and dealt with Jacob Golos as a resident agent of the Soviet secret police. Elizabeth Bentley was designated by Golos as a trusted go-between in his relations with Budenz.

Further, the record shows that Communists who took the three-year training course in Moscow, and were considered qualified, were sent as representatives or instructors into other countries. Petitioner's witness Kornfeder after completing training in Moscow as a member of Respondent was sent in 1930 to South America to reorganize the badly functioning Party in Colombia and to organize an underground Party in Venezuela. Kornfeder identifies Charles Crumbein and Rudolph Baker as other United States Communists who were sent as representatives outside of the United States. While in Moscow before going to South America, Kornfeder had daily meetings with Palmiro Togliatti⁴² who briefed him on South American policies.

Earl Browder, high official of Respondent until his purge following Respondent's reconstitution in 1945 as above noted, came back to the United States as an official of Respondent in 1929 as part of the settlement of the factional dispute. He was first summoned to Moscow from a position as Soviet representative in Shanghai, China, and after being instructed as to what was required of him, was assigned as General Secretary of Respondent. Other members of Respondent are identified in the record as receiving foreign assignments on instructions of the Communist International.

Summarizing, we find that the Soviet Union has established a requirement of iron discipline throughout the world Communist movement which imposes upon the Communist Parties and their members in the various countries the duty of following with unquestioned devotion the line laid down by the Soviet Union; that Respondent herein has recognized and accepted the requirement of iron discipline, has not repudiated it and has acted in accordance therewith; that officers and members of Respondent have been expelled by Respondent upon instructions from the Soviet Union; that Respondent has subjected itself to Soviet discipline by expelling officers and members for failure to follow the line laid down by the Soviet Union, or for conduct of the type proscribed by the Soviet Union such as so-called revisionism and opportunism; and that Respondent has followed policies and activities designed to carry out the disciplinary policies of the Soviet Union.

Upon consideration of the foregoing and of the entire record, we find and conclude that Respondent's principal leaders and a substantial number of its members are subject to and recognize the disciplinary power of the Soviet Union and its representatives, and that by its recognition and subjection to the disciplinary power of the Soviet Union, Respondent seeks to advance the objectives of the world Communist movement.

⁴² Presently leader of the Italian Communist Party and at the time he instructed Kornfeder, head of the Latin American Secretariat of the Communist International.

G. SECRET PRACTICES

Section 13 (e) (7) of the Act provides that the Board shall take into consideration:

the extent to which, for the purpose of concealing foreign direction, domination, or control, or of expediting or promoting its objectives, (i) it [Respondent] fails to disclose or resists efforts to obtain information as to its membership (by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method); (ii) its [Respondent's] members refuse to acknowledge membership therein; (iii) it [Respondent] fails to disclose, or resists efforts to obtain information as to, records other than membership lists; (iv) its [Respondent's] meetings are secret; and (v) it [Respondent] otherwise operates on a secret basis;

The petition alleges:

For the purpose of expediting and promoting its objectives and concealing its foreign direction, domination and control, the Communist Party from its inception has adopted a multitude of clandestine practices. While the degree of secrecy has varied from time to time, there has been a strict adherence to the practice of secrecy during the period from July 1945, to the time of the filing of this petition. * * *

The petition further sets out 12 specific types of such practices allegedly engaged in by Respondent. For convenience, the evidence relating to these and other activities is set forth in this section under appropriate head notes which in the main correspond to the aforementioned alleged practices. Evidence relating specifically to the purpose for which the subject activities were undertaken, aside from that of the nature and character of the acts and practices themselves, is summarized under the heading *Purpose of Secret Practices* at the end of this section.

1. Secret and Open Members

It is conceded by Respondent and the evidence establishes that some portion of its membership was and is concealed. Party members active as labor union leaders, mass organization leaders, members of professions, and others have concealed their party membership from the general public or from the organizations in which they worked or in which they were members. The degree of concealment varies with Respondent's current policy regarding its activities.

A higher degree of secrecy generally applied to members of the Respondent who were important civil servants, members of the armed forces, teachers, and those individuals engaged in espionage and other illegal and confidential activities for the CPUSA or the Soviet Union. Such members were known only to the leading officials of Respondent or to a limited number of the members thereof.

Open members of the CPUSA have been those who by reason of their position in the Party or because of the type of their operations need not be concealed. For the most part, these were the national, state and district officials of the CPUSA or candidates for public office on the Communist Party ballot.

New Members upon entering the CPUSA were instructed generally not to reveal their Party membership. In 1928, members of the staff of the Daily Worker were instructed to deny their CPUSA membership in the event of a police raid. Similar instructions were given to Party members attending CPUSA schools in 1932. Party members in trade unions were ordered in 1948 not to reveal their CPUSA membership.

It is thus that Respondent engages in the practice of maintaining a membership of both concealed and open members.

2. Refusal to Reveal Information

Respondent's organ, the *Daily Worker* for February 17, 1930, stated:

It is the duty of Communists to throw every possible obstacle in the way of conviction of their fellow Party members in the courts, to defend these members by all possible means, and absolutely to refuse to give testimony for the state in any form. Testimony of Communists can only be given for the defense of Communists, not for the state, and then it must be based upon uncompromising defense of the Party and its program. And any one who trades his testimony to the State for personal immunity from prosecution, should be unhesitatingly kicked out of the movement (Pet. Ex. 496).

CPUSA members were taught in Respondent's schools and at meetings during the late 1930's and early 1940's that the moral basis of all acts by a Communist is the determination of whether such acts do or do not help in the achievement of the victory of the classless society; that no oath, or statement in court, or consideration of any kind can take precedence over the question of whether or not his act helps or harms the CPUSA. The record discloses a number of other instances, wherein CPUSA members, several of whom testified for Petitioner in this proceeding, were instructed while members to deny their Party membership in the courts and to government agencies, e. g., to the Federal Bureau of Investigation in connection with the Loyalty Program of the Federal Government. Respondent has instructed its members to refuse to talk to FBI agents. In answer to a question in this proceeding as to the whereabouts of certain members of the CPUSA National Committee, who are fugitives from justice, the Respondent's witness Gates stated, "if I knew, I wouldn't tell you in a million years."

The CPUSA, in the early 1940's caused documents to be filed with the Department of State which stated that the Intercontinent News Agency was an independent agent, when, in fact, it was formed by the Respondent for the purpose of circumventing the Foreign Agents Registration Act of 1938.

Plans were discussed by Party leaders together with agents of the Soviet Secret Police in 1928, whereby blank American passports might in some manner be obtained illegally from the Department of State. CPUSA members (Kornfeder, Honig and Arbona) have used detached visas which were issued by Soviet Union sources here and abroad in 1927 and 1934, as a device to conceal from agencies of the United States Government visits to the Soviet Union. In 1937, Respondent's witness Gates did not list Spain as one of the countries to be visited when he applied for an American passport, since the United States Government did not issue passports for travel to Spain at that time; actually, it was his purpose to go to Spain, and he did so. In 1949, Eugene Cubes Arbona, head of the Communist Party youth movement of Puerto Rico, in collaboration with members of Respondent, submitted to the Department of State an application for a passport which falsified the answers to questions concerning the countries to be visited abroad, and other matters. At that time, CPUSA members assisted this official in making arrangements to obtain a detached visa in France in order to visit Hungary, thereby concealing knowledge of the Hungarian destination from the United States Government.

Hence it is clear that members of Respondent are trained to and do refuse to reveal information to proper governmental agencies and

tribunals concerning Respondent and its membership as a matter of basic Party policy.

3. *Destruction and Secrecion of Records.*

In periods of strict secrecy, the Party has issued directives to destroy records and such literature as would identify members with Respondent. Such orders were issued throughout the period of the Hitler-Stalin Pact from 1939-1941 and also during the period from 1946-1951. During the latter period, records in CPUSA headquarters were burned by Party leaders while the individual members were instructed to burn Party lists and literature kept in their homes. During the 1946 Congressional campaign, a CPUSA member, Herbert A. Philbrick, was instructed to destroy his Party membership card for security reasons while participating in the campaign of a non-Communist candidate for public office. Pursuant to the orders of CPUSA officials, Party membership books were destroyed in 1947 and membership cards were destroyed in 1948. In 1949, a system was established at New York county headquarters of Respondent whereby all messages containing names, addresses and phone numbers were to be burned as soon as read. This system was still in effect in January 1951.

In addition to the steps taken to destroy records and other material during the aforementioned periods, Respondent adopted the practice of keeping no records which would divulge information concerning its members and activities. In situations where it was thought absolutely necessary to keep records, however, secret devices such as charts and code systems have been used. Records have been kept at a minimum by such varied practices as engaging in cash financial transactions, issuing oral directives without ever reducing them to writing, and requiring club leaders of Respondent to memorize the names of members of their respective clubs. In 1949, instructions were given to a club official of Respondent, which he followed, that dues and "sustainers" were not to be collected from any member in the presence of other members.

CPUSA membership cards are not issued when the Party operates under conditions of strict secrecy. In this connection, no membership cards were issued to members for one of the years during the Hitler-Stalin Pact period from 1939-1941 because Respondent believed it would have to go underground, i. e., operate completely clandestinely. Membership cards have not been issued for the years 1949 to date as a security measure to conceal the identity of CPUSA members.

Records of the CPUSA pertaining to its membership and other affairs have been maintained secretly. The Party has selected carefully concealed places in which to hide its records. Such hiding places have consisted of homes and business offices of secret or concealed members of the Party or of other persons who would be least suspected of being identified with the CPUSA.

Thus, during periods of strict secrecy Respondent has engaged in the practice of destroying or secreting records, and of not maintaining membership records, or of maintaining them in code.

4. *Deceptive Language in Party Writings*

The CPUSA, as recommended by Lenin, has used deceptive language in its Constitution (Pet. Exs. 328, 329, 374) and other writings to conceal the real aims, purposes and objectives of the Party. A decisive clause in the preamble to the CPUSA Constitution of 1942,

viz., " * * * by the establishment of socialism, according to the scientific principles enunciated by the greatest teachers of mankind, Marx, Engels, Lenin, and Stalin, embodied in the Communist International * * * " was taught in Party schools as equivalent to the statement, "in accordance with the principles of Marxism-Leninism," as defined hereinbefore. Notwithstanding any other language to be found in other sections of the preamble, this clause controls the interpretation which CPUSA members place upon the Constitution. Similarly, statements in the preambles of the 1945 and 1948 Constitutions of the CPUSA to the effect that Respondent's functions are founded "upon the principles of scientific socialism, Marxism-Leninism" cannot be reconciled with subsequent statements which refer to the Constitution of the United States. These direct and implied references to Marxism-Leninism control the interpretation which Communists must place upon the subject matter found in the Party Constitution. Such reference to Marxism-Leninism is intended to override any other matter contained therein which may be conflicting in any manner. Marxism-Leninism is defined fully elsewhere in this report.⁸³

Deceptive language has been used in other statements and documents of Respondent for the purpose of concealing its true aims, purposes, and objectives. Lenin explained the necessity for the use of such language in *Imperialism, the Highest Stage of Capitalism* (Pet. Ex. 140). During the period 1935-1945, the witness Budenz used such language in his writings as a staff member of the *Midwest Daily Record* and of the *Daily Worker*.

That Respondent uses deceptive language, even in the most basic Party documents, such as Constitutions, to conceal its real objectives is established in the record.

5. Use of Party Names, Aliases, etc.

By direction of Respondent, Party names or aliases were used by its members in 1927 and 1934 on American passports, which had been obtained illegally in order to conceal from the United States governmental agencies the knowledge that trips were being or had been made to the Soviet Union. By similar direction, CPUSA leaders have at other times, for the same reason, used false names in connection with their trips to the Soviet Union as have Respondent's students en route to the Lenin School at Moscow. Pursuant to instructions from CPUSA leaders, the students were not to use their real names while on board ship but were to conceal their identity and destination. Also, Respondent's leaders and members, acting on instructions, have used Party names or aliases to conceal their activities on behalf of the CPUSA in labor circles and in other organizations, as well as in the conduct of strikes and labor disputes. Concealment of Party membership from law enforcement agencies, by the use of Party names, has been practiced by Respondent's members throughout the existence of the Party. False or Party names have been used on CPUSA membership cards at various times. In the 1930's, Respondent's leaders were instructed to use Party names in order to conceal their identity in the event of police raids. In the years immediately following the conclusion of World War II, membership books were issued in blank. Party members were directed to enter

⁸³ See pp. 21 to 44, *supra*.

a false name or, in some instances, were given the option of entering a false name, of entering only their first name, or of entering no name at all on the books.

The rigidity of the concealment measures which commenced in the late 1940's, is indicated by the employment of certain practices in the Party whereby the names of Party members were not disclosed to each other, even at conventions and meetings, Party names or aliases being used by members as a substitute.

During the present period, the payment of dues and other contributions to the Party is recorded by the use of a system whereby the members are designated by number at the club level. Also, numbers and symbols have been used by the Party in order to identify its members on mailing lists. Students at Respondent's Marxist-Leninist Institute in Oakland, California, during the period 1949-1950 were enrolled by numbers instead of names, and students at the former were directed to refer to each other by their enrollment numbers rather than by their correct or Party names.

The use of Party names or aliases for the purpose of concealing membership and activities in the CPUSA has been a widespread and continuous practice by the CPUSA leaders and the rank-and-file members throughout the existence of the Party. The record is replete with instances of such practices.

6. *Use of Codes, Couriers, etc.*

In the early history of the CPUSA, its leaders received training in the secret department of the Communist International in the use of codes for the transmittal of Party messages, as well as training in the operation of short wave communication. In the "Arcos" raids which took place in Great Britain during 1927, British authorities seized codes, documents, letters, and files which revealed the identity of certain CPUSA leaders who had received confidential letters, reports, cables, and sums of money in the United States from the Soviet Union. As a result, new codes for the CPUSA were delivered in Moscow by a Comintern official to a leader of Respondent who in turn brought them into the United States.

During the 1930's, the CPUSA established and used various code systems in transmitting confidential messages between its units and its leaders in the United States. Instructions were received by Respondent in code from the Comintern in connection with the 1934 general strike in San Francisco.

• In the summer of 1949, instructions were given and steps were taken by Respondent's leaders to establish a national system of radio communication for use by the Party on a standby basis. The establishment of this system involved the acquisition of radio receivers, familiarization with the use of radio equipment, plans for the location of mobile transmitters and receiving equipment, and a search to find amateur radio operators among CPUSA members. In addition, leaders of Respondent sought to establish this system in such a manner as to avoid detection by the Federal Communications Commission of illegal transmissions.

At a secret meeting of the CPUSA held in Toledo, Ohio, in July 1947, Respondent's witness Elizabeth Gurley Flynn, then Chairman of the Women's Commission of the CPUSA, told Party members pursuant to instructions of the CPUSA National Committee that Party

leaders should not use the telephone for communicating with Party members; further, that Communist documents and directives should not be sent through the mails, that names of Communists should not be used over the telephone, and that lists of names of Communists should not be carried on one's person. The record shows that these instructions were carried out in general by Party members.

Secret devices for concealing the transfer of members from one Party unit to another have been used within the CPUSA, notably during the periods of strict secrecy, which includes the present. After the reconstitution of the CPUSA in 1945, transfer cards in certain units of the Party were sent to destination points by couriers instead of being forwarded through the mails as theretofore.

Prearranged code words or phrases have been used by CPUSA members in communicating with each other, particularly with respect to underground activities since 1947. A telephone code was devised in 1949 and used through 1950 to transmit information about meetings and other Party affairs in California.

Extensive use has been made of confidential mailing addresses by the CPUSA and its members through 1949. Such addresses have included those of members least suspected of being affiliated with the Party.

Couriers have been used extensively by Respondent as a concealment measure in the transmission of documents and other material over a period of many years. Until 1940, CPUSA members served as couriers for the transmission of documents between the United States and the Soviet Union and also on behalf of the Communist International in Moscow for the purpose of transferring funds and documents between the Soviet Union and other foreign countries. Communist International representatives to the CPUSA have acted as couriers in exchanging documents between the United States and the Soviet Union. One objective of the Red International of Labor Unions in carrying on Communist activities in the maritime industry was to create an unlimited courier service throughout the world.

In February 1952, a CPUSA member who testified in this proceeding for Petitioner was told by a Party official that the former was to receive instructions as to the performance of the Party's underground activities; and, further, that this member would act largely as a courier between certain Party units.

It is thus clearly shown that Respondent uses codes, couriers, confidential mailing addresses, and other secret devices to conceal its membership and activities.

7. False Swearing

On instructions from Respondent, a Party Leader, Joseph Kornfeder, swore falsely when he applied to the Department of State in 1927 for a passport.

Jack Stachel, a member of the CPUSA National Committee, instructed a member in the 1930's to testify falsely in an injunction suit brought against the Shoe and Leather Industrial Union, concerning the issue of whether this union was Communist-controlled.

A Party member, in early 1948, falsely denied his membership in the Party before a court in Virginia. At a meeting of a Party Committee held in Washington, D. C., following that occasion, his resignation from Respondent was so dated as to enable him to say that

he was not a CPUSA member on the date that he denied such membership.

In order to circumvent the non-Communist affidavit provisions of the Taft-Hartley Act, CPUSA members holding positions in labor unions were instructed by Respondent's officials in 1948 and 1949, to "resign" formally from the CPUSA, but nevertheless to continue functioning as members of the Party. In this connection, Gus Hall, a CPUSA official thereafter convicted under the provisions of the Smith Act, instructed a member in 1948, to sign a letter of resignation back-dated to a time prior to the effective date of the Taft-Hartley Act in order to protect the member from prosecution under the provisions of that Act. In 1949, a member was given Party instructions that a formal "resignation" from Respondent, but an actual continuation of his functions as a Communist, was the procedure to follow if he must sign a non-Communist affidavit as required under the Taft-Hartley Act.

Party members are impressed by Respondent with the necessity and desirability of making false statements to conceal Party information and to forward Party objectives.

8. *Secret Meetings of Trusted Members*

Throughout its history Respondent's meetings generally have been restricted to Party members, although on occasions authorized "public" meetings have been held. Election rallies held when Respondent supported candidates for public office have been open to the public, as have expressly authorized meetings of certain Party street units. At various periods important meetings of Party Committees have been held secretly in private homes instead of in Party offices. During periods of strict secrecy all Party meetings generally are held on a secret basis.

Meetings of national, state, and regional committees and commissions of Respondent, as well as other trusted Party units, such as the highly concealed professional clubs, have been held on a clandestine basis. Members of the Ohio State Committee were criticized in July 1947 by Gus Hall, a high Party official, for having violated rules promulgated by the National Committee pertaining to concealment in attending meetings. A CPUSA leader attended secret Party meetings held in Cleveland, Ohio, during 1948 and 1949. He was notified of the meetings by courier in Toledo, and upon arrival at Party headquarters in Cleveland he received final instructions as to the locations of the meetings. A district committee met in Baltimore in March of 1949 under conditions of extreme concealment. During 1949 and 1950, meetings of Party Commissions were held in places acquired in the names of nonexistent groups, in order to conceal and mislead as to the identity of the parties meeting therein.

Extraordinary care has been exercised during certain periods to conceal the actual meeting place and to restrict attendance at plenary sessions and executive board meetings of the CPUSA National Committee to only those selected members who had been given proper identification and credentials.

Respondent's schools have been conducted under varying degrees of secrecy. During periods of strict secrecy within the Party, including the periods of 1939 to 1941, and from 1948 to 1950, extraordinary precautions were taken to conceal the existence of these schools and

the names of the trusted Party members selected to attend them. Students at Party schools have carried out instructions to observe stringent concealment regulations in order to preserve the secrecy shrouding the operation of these schools. As an example, both the Marxist Institute in Los Angeles, California, and the Marxist-Leninist Institute in Oakland, California, were so conducted in the summer of 1950 as to conceal their existence and purpose. Students at the former school attended classes secretly at a changed location after the Korean hostilities had begun. The nature of the curriculum of these schools (see pp. 41-43, *supra*), clearly shows the illegal purpose behind the extensive measures adopted to conceal their existence.

Stringent concealment measures have accompanied the holding of conventions by the Respondent during periods of strict secrecy. Only the most trusted members of the Party have been permitted to attend such conventions. At the Massachusetts State Convention of the Communist Political Association held at Boston, Massachusetts, in 1945, and at the National Convention of the CPUSA at New York City in 1948, only those persons were admitted who could present proper credentials and, after elaborate security procedures, could establish their identity.

The location of the Ohio State Convention, held in December 1950, was not disclosed to the delegates for concealment reasons until shortly before the convention was held. Extensive precautions were taken to conceal the holding of a local convention in 1948 in Los Angeles. Like efforts surrounded the holding of the West Oakland (California) Section Convention in December 1950. Similar precautions surrounded a State Regional Convention of the CPUSA in California in January 1951. As at the other conventions held in California specified above, delegates to this January 1951 convention arrived at the convention hall in small groups after having been led there by a member who had been entrusted with knowledge of its location. The delegates remained at the hall during the entire session before being allowed to make their departure in small groups at intervals. Prior to departure the delegates were directed not to take a direct route home. On the following day, the second session of the convention was held at a different location under similar circumstances of secrecy.

Thus, it is clear that throughout its history, Respondent, for purposes of concealment and to promote its objectives, has held secret meetings restricted to trusted members.

9. Reduction of Committee Membership for Security

During the period of the Hitler-Stalin Pact, a period of strict secrecy, Respondent reduced the membership of its National Committee, state committees, and section committees for concealment purposes.

In 1948, the National Committee of Respondent issued a directive pursuant to which the size of all committees within the Party was reduced. In announcing this directive, Gus Hall, then Chairman of the Ohio Party, stated that the reduction of the State Committee of Ohio from approximately 50-odd members to about 11 members was being effected for "security" purposes. At the same time, the National Committee was reduced in number from about 55 to approxi-

mately a dozen members. At the National Convention of the CPUSA held in December 1950, the size of the National Committee was fixed at 13 members.

Respondent thus strives to conceal its activities through limiting the number of persons having access to vital information by reducing the size of its leading committees during the periods of strict secrecy.

10. Assignment of Members in Small Groups

During the mid-1930's, when less extensive concealment measures were in force within the Party, its clubs had memberships which generally averaged from 12 to 20 members. A number of these clubs joined together in neighborhood or industry branches, to form units of from 50 to 100 members. After the signing of the Hitler-Stalin Pact in 1939, Peters and Stachel, the former a Communist International representative and the latter a CPUSA leader, directed that a number of concealment measures be instituted, including the division of large branches of the Party into groups and the readying of the group system for functioning. Peters issued instructions to set up units of not more than five men with one man in charge, in preparation for the Party's going underground, and these instructions were substantially carried out. Units within the Party were enlarged after Hitler's attack on the Soviet Union in June 1941, in accord with the change which occurred on the political scene.

Beginning in 1948, the CPUSA operated under conditions of strict secrecy, dividing the membership in its basic clubs throughout the United States, including those of professional people, into groups of about five members. Greater precautions were taken to conceal the meetings of the professional groups than theretofore. Instructions were issued to all groups that members should not communicate with others outside their own particular group. Names of members in other groups were never to be mentioned at group meetings. Communication between the groups and other CPUSA units were to be made through group captains directly to section leaders. However, members have met in somewhat larger bodies on a few occasions since the establishment of the group system beginning in 1948, e. g., in connection with conventions within the Party, even though these conventions were themselves held under circumstances of great secrecy as discussed heretofore. A tightening up of the concealment system, including a more efficient operation of the group system, was announced at the West Oakland Section Convention in California during December 1950. The record shows clearly that the group system continued to function after this date in connection with the strict concealment measures which have been employed by Respondent. Respondent has thus formed members of its organization into smaller groups during periods of intense secrecy to conceal more effectively their identity and activities.

11. Underground Plans and Operation

Respondent has at all times maintained an underground or secret apparatus, even when the Party was operated on a comparatively open basis. The underground apparatus has been kept in readiness to assume leadership and to direct the functions of the Party during the periods when its leaders determine that underground operations are necessary in order to carry out Party activities. Extensive plans have been devised and great quantities of materials have been gathered